



**Agenda Number: 05**  
**Project Number: 1010809**  
**Case #: 16EPC- 40020**  
**June 9, 2016**

*Supplemental Staff Report to be read with the May 12<sup>th</sup>, 2016 staff report*

<i>Agent</i>	Consensus Planning
<i>Applicant</i>	Albuquerque Development, LLC
<i>Request</i>	<b>Sector Plan Amendment (zone change)</b>
<i>Legal Description</i>	Lots 31 and 32 block 11, tract 1, unit 3 of North Albuquerque Acres
<i>Location</i>	NE corner of Glendale Avenue and Wyoming Boulevard
<i>Size</i>	1.61 acres
<i>Existing Zoning</i>	RD 3 DU/acre
<i>Proposed Zoning</i>	RD 7 DU /acre

*APPROVAL of Case 16 EPC 40020 Sector Plan Map based on the Findings beginning on Page 14.*

## Staff Planner

**Maggie Gould, Planner**

This request was deferred from the May 12, 2016 hearing to allow for a facilitated meeting and for re-notification of the property owners.

The applicant has revised the request from SU -1 for R-D uses not to exceed 8 units on the site to R-D 7 DU per acre. The request constitutes an amendment to the LCSDP.

The applicant has justified the request under R-270-1980 as being more advantageous to the community as articulated in the goals and policies and applicable plans and due to changed conditions in the form of improved infrastructure.

Property owners within 100 feet of the site and the affected Neighborhood Associations and HOA's notified of the original request and re-notified of this request.

A facilitated meeting occurred on May 25. There is opposition to the proposed density and possible height and concerns about drainage and traffic. Staff is recommending approval.



City Departments and other interested agencies reviewed this application from 4/4/2016 to 4/15/16  
Agency comments used in the preparation of this report begin on Page 28

## I. AREA CHARACTERISTICS AND ZONING HISTORY

### *Surrounding zoning, plan designations, and land uses:*

	<i>Zoning</i>	<i>Comprehensive Plan Area; Applicable Rank II &amp; III Plans</i>	<i>Land Use</i>
<i>Site</i>	RD 3 DU per acre	Developing Urban, La Cueva Sector Development Plan	Vacant
<i>North</i>	RD 3 DU per acre, County A-I		Residential , Single Family
<i>South</i>	RD 3 DU per acre, SU-1 RD 5 DU per acre		Residential, Single Family
<i>East</i>	RD 3 DU per acre		Residential, Single Family
<i>West</i>	RD4 DU per acre , RD 5 DU per acre, RD 7 DU per acre		Residential, Single Family

## II. INTRODUCTION

### *Proposal*

This request was initially heard at the May 12th, 2016 EPC hearing. The case was deferred to allow time for a facilitated meeting and additional neighborhood notification. Based on the discussion at the May hearing, the applicant has adjusted the request from the previous SU -1 for R-D uses not to exceed 8 units on the site to R-D 7 DU per acre. The requested zone does not require a Site Development Plan and the applicant has removed the Site Development Plan for Subdivision from this request.

The applicant proposes 8 units on the site, a density of approximately 6.1 units per acre, because the density would over 6 units the R-D 7 DU per acre zone is needed to allow the proposed density.

The existing zoning on the site was imposed by the La Cueva Sector Plan so this request constitutes a map amendment to the La Cueva Sector Plan.

Property owners and Neighborhood Associations were re-notified of the request.

A facilitated meeting occurred on May 25 at the North Domingo Baca Multigenerational Center.

Some meeting participants expressed concerns about the proposed density and the precedent that it might set for future higher density development. Other concerns included two story homes blocking views and impacting the privacy of adjacent neighbors, drainage, obstruction of views by street trees, the desire to have the development gated and a preference for the previous SU-1 zoning.

In response to these issues the applicant submitted a Letter of Commitment proposing height restrictions on some lots, second story massing relief, a gated development, Covenants, Conditions and Restrictions for landscaping standards and minimum square footage.

These items would be a private agreement and would be part this request or enforceable by the City.

### ***EPC Role***

The EPC is hearing this case because the EPC has the authority to hear all zone map amendments (zone change) and associated site development plans for building permit for SU-1 Special Use zoned sites, regardless of site size, in the City. The EPC is the final decision-making body unless the EPC decision is appealed [Ref: §14-16-2-22(A)(1) SU-1 Special Use Zone, and 14-16-4-1, Amendment Procedure]. If so, an appeal would go to the Land Use Hearing Officer (LUHO) who then makes a recommendation to City Council [Ref: § 14-16-4-4-(A)(2) Appeal]. This is a quasi-judicial matter.

### ***History/Background***

The La Cueva Plan was enacted in 2000 and provided design standards and zoning for the subject site. The plan purpose (page 1, section 1.1) was to suggest solutions to barriers to sound urban development and to establish development standards that contribute to the sense of community in the developing area. The plan was amended to clarify how to calculate lot density in 2007; this change required calculating net density instead of gross density.

### ***Context***

The subject site is surrounded by single family residential development. There is a developed park south of the subject site. La Cueva High School is approximately .4 miles south of the site. The intersection of Paseo del Norte and Wyoming is developed with a variety of retail and service uses and is approximately 1 mile from the site.

### ***Transportation System***

The Long Range Roadway System (LRRS) map, produced by the Mid-Region Council of Governments (MRCOG), identifies the functional classifications of roadways.

The Long Range Roadway System designates Alameda as a Principal Arterial.

The Long Range Roadway System designates Wyoming Boulevard as a Collector street.

The Long Range Roadway System designates Glendale as a Local street.

### ***Comprehensive Plan Corridor Designation***

Wyoming is an Enhanced Transit Corridor south of Alameda Boulevard: Alameda Boulevard is an Enhanced Transit Corridor west of Wyoming Boulevard. This intersection is about .4 miles from the site.

***Trails/Bikeways*** Wyoming Boulevard contains a bike lane that is partially constructed. There is a paved, multi-use trail along the La Cueva Diversion Channel, about .25 miles from the site.

### ***Transit***

The following bus routes are approximately .4 miles from the site:

- 98, Wyoming Weekday Commuter
- Route 31, Wyoming stops at Alameda and Wyoming with service along Wyoming to Kirtland Air Force Base
- Route 2, Eubank stops at Wyoming and Alameda with service along Eubank to Kirtland Air Force Base.

### ***Public Facilities/Community Services***

Refer to the Public Facilities Map in the packet.

## ***III. ANALYSIS***

### ***APPLICABLE ORDINANCES, PLANS AND POLICIES***

#### ***Albuquerque Comprehensive Zoning Code***

The R-D zone permits a mixture of dwelling unit types and incidental related commercial activities (§14-16-2-14). The R-D (developing residential) zone is the predominant residential zone in the La Cueva Sector Development (LCSDP) area, and is the standard residential zone in a Developing Urban Area. Within the boundaries of a sector plan, the R-D zone allows residential development as regulated in the R-T zone. The R-T zone allows houses and townhouses, with minimum lot sizes for each. Height is permitted up to 26-feet. The net density for this zone is approximately 14 DU/A, assuming a 25% set-aside for public rights-of-way. However, the LCSDP establishes maximum densities, between 3 and 7 dwelling units per acre for areas zoned R-D in the Zoning Map, Exhibit 12 (attached). The R-D zone in a Developing Urban Area requires 2,400 SF of open space per dwelling unit in order to achieve a sense of openness at the fringe of the City. The current zoning is R-D 3 DU per acre. The zoning allows the development of single family residential homes.

The proposed zoning is R-D 7 DU/acre. The proposed use is permissive with the current zoning, but the requested density is not allowed. The request would add up to four additional dwelling units per acre. The applicant proposes to develop 8 houses on 1.33 net acres, which equals 6.1 dwelling units per net acre as defined by LCSDP.

In 2007, the LCSDP was amended to clarify the definition for "gross acreage". Prior to 2007, gross acreage was defined as: "Densities are based upon gross acreage of the lot, which is measured from property line to property line, excluding existing public right-of-way and/or prescriptive roadway easements." After 2007, the definition was changed to also include future rights-of-way. The purpose of this amendment was to maintain the openness and views in the LCSDP area. The intent of the changes was to address development in the area that the neighborhoods believed to be denser than what was intended in by the LCSDP. In September 2007, the LCSDP was amended to read: "Densities are based upon gross acreage of the lot, which is measured from property line to property line, excluding existing public right-of-ways

and/or right-of-ways legally obligated to be created and/or easements intended for the movement of goods, services, people and/or drainage.” This is consistent with many communities definition for “net acreage.” Neither gross acreage nor net acreage is defined in the City’s Zoning Code.

#### ***Albuquerque / Bernalillo County Comprehensive Plan***

Policy Citations are in Regular Text; Staff Analysis is in ***Bold Italics***

The subject site is located in an area that the Albuquerque/Bernalillo County Comprehensive Plan has designated Developing Urban. The goal of the Established and Developing Urban Area is “to create a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas and life styles, while creating a visually pleasing built environment.” Applicable policies include:

***The request would generally contribute to creating a quality urban environment. The future development would be subject to Design Regulations contained in the Site Development Plan for Subdivision. Though the request would not result in variety, it would provide more housing choices. The request generally furthers the Developing and Established Urban Area Goal.***

Policy II.B.5d: The location, intensity and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural, or recreational concern.

***The site will be developed at a density greater than the parcels directly adjacent to the site, but will be required to meet the same requirements of LCSDP and Zoning Code, including height and setbacks as the surrounding properties. The proposed development will meet the required 2,400 square feet of open space on site for a total of approximately 19,000 square feet as opposed to the 9,600 that would be required on the 4 units that are currently allowed. The request furthers Policy II.B.5d.***

Policy II.B5e: New growth shall be accommodated through development in areas where vacant land is contiguous to existing or programmed urban facilities and services and where the integrity of existing neighborhoods and can be ensured.

***The subject site is vacant. Development would be contiguous to existing urban facilities roads, water and sewer, electricity and existing services, the use of which would not disrupt neighborhood integrity. The request furthers Policy II.B5e.***

Policy II.B.5.h: Higher density housing is most appropriate in the following situations:

1. In designated Activity Centers.
2. In areas with excellent access to the major street network.
3. In areas where a mixed density pattern is already established by zoning or use, where it is compatible with existing area land uses and where adequate infrastructure is or will be available.

4. In areas now predominantly zoned single-family only where it comprises a complete block face and faces onto similar or higher density development; up to 10 dwelling units per net acre.

In areas where a transition is needed between single-family homes and much more intensive development: densities will vary up to 30 dwelling units per net acre according to the intensity of development in adjacent areas.

*The subject site is in an area with a somewhat mixed density pattern. The lots directly adjacent to the site are zoned RD 3DU per acre and developed with lots that are approximately .28 acres in size. There is SU -1 RD 5DU per acre on the south side of Glendale Ave. with lots that are .21 to .23 acres in size. The housing across Wyoming from the site is zoned RD 5 DU per acre and developed with lots that are between .15 and .18 acres in size. The lots just south of those are zoned 7DU per acre with lots that are between .10 and .16 acres in size. The site has full access to the major street network and adequate infrastructure. The request furthers Policy II.B.5.h*

Policy II.B.5 l: Quality and innovation in design shall be encouraged in all new development; design shall be encouraged which is appropriate to the Plan area.

*Without a Site Development Plan for Building Permit or similar plan, it is difficult to assess the quality and /or innovation of the future designs. Staff believes that this policy is not relevant to the request.*

Policy II.B.5p: Cost-effective redevelopment techniques shall be developed and utilized.

*The proposed zoning allows for new development that will result roadway construction while supporting appropriate infill development. The property is vacant and currently the site of a temporary drainage pond that is no longer needed. The redevelopment of the pond will require significant grading and filling that will be done by the applicant. The request furthers Policy II.B.5p.*

Transportation and Transit Policy II.D.4c: In order to add transit ridership, and where it will not destabilize adjacent neighborhoods, additional dwelling units are encouraged close to Major Transit and Enhanced Transit streets.

*Wyoming Boulevard is a Comprehensive Plan designated Enhanced Transit Corridor south of Alameda, approximately .5 miles south of the site. Although the site is not directly located on the transit corridor, this development could potentially increase transit ridership and will contribute to the existing character of the adjacent neighborhoods furthering this policy. The request partially furthers Policy II.D.4c.*

The applicant cites additional policies that staff did not consider:

Air Quality Policy II.C.1b: Automobile travel's adverse effects on air quality shall be reduced through a balanced land use/transportation system that promotes the efficient placement of housing, employment and services.

*Increasing density in a way that employs innovative design and layout, streetscape landscaping,*

---

*etc. promotes the efficient use of land and resources furthering this policy.*

***The proposed development will place additional housing near employment and services and may decrease the need for auto mobile travel. The request further Air Quality Policy II.C.1b***

Energy Management Policy II.D.3c: Land use planning that will maximize potential for efficient use of alternative and renewable energy sources shall be undertaken.

*The proposed increase in density furthers this policy. Efficient use of land for appropriate housing is key to the reduction of our energy needs. This relates to limiting sprawl, reduction in landscaping irrigation, placing more people proximate to goods and services, etc.*

***The proposed development will place additional housing at a slightly higher density near existing goods and services. This may decrease traffic. This policy seems to be directed at the use of alternative and renewable energy and does not seem applicable to the request.***

Solid Waste Policy IIC.3c: Illegal dumping shall be minimized.

*Providing infill development on these vacant parcels minimizes not only illegal dumping, but minimizes crime ensuring a safer and higher quality neighborhood for future residents of this development, but for existing residents as well.*

***The proposed development will minimize any illegal activity, including dumping, on the site. However, if the lots were developed under the existing zoning the result would be the same. The request further Solid Waste Policy IIC.3c, but other types of development on the site would also further this policy.***

Service Provision Policy II.D.1c: The existing public service area should be highest priority for service, capacity, use, maintenance, and rehabilitation.

*The project site is located within the existing public service area and constitutes high quality urban infill. This policy is furthered through this development proposal.*

***Staff agrees that the development will further Policy II.D.1c; this is also discussed in Policy II.B5e.***

### ***La Cueva Sector Development Plan (LCSDP)-Rank III***

The LCSDP was adopted in June 2000, revised in October 2003 to expand Plan boundaries and add clarifying language and in 2007 to address density and easements/public right of way. The general boundaries are Louisiana Blvd. on the west, Paseo del Norte Blvd. and Palomas Ave. on the south, Ventura St. on the east and Florence Ave. on the north. Exhibit 12 shows specific boundaries and densities (see attachment).

The LCSDP sets forth goals and policies regarding land use, zoning and capital infrastructure priorities for vacant properties to promote sound urban development in the Plan area. The LCSDP contains general Guiding Principles (p. 4) and Guiding Principles (p. 25). It also establishes Design

---

Regulations applicable to all SU-2 zoned properties (p. 31), including residential subdivisions in the R-D zone. The following principles apply to the request:

1.3 OVERARCHING GUIDING PRINCIPLES (P. 4):

Principle 4: Land uses that are compatible with existing development.

*The request generally furthers overarching Guiding Principle 4 because the resulting single-family homes would be compatible with the existing single-family homes nearby and would be subject to the same Zoning Code and LCSDP requirements as the existing development.*

5.1 GUIDING PRINCIPLES (P. 25-26):

Principle 2 (existing): The plan area is intended to be urban, with a mix of residential densities and a variety of retail and service businesses to meet the needs of the area's growing population.

*The request adds appropriate density that is similar to the existing nearby density to the area furthering the goals of making the plan area more urban. The request is consistent with Principle 2(existing).*

Principle 3 (existing): The diverse ownership and platting of land is problematic for higher density land uses. Current Zoning and recent development decisions have eroded the ability of the City to require land Assembly by window as specified in the La Cueva Land Use Guide.

*The proposed zoning and future development allowed by the zoning will occur on assembled parcels and will add housing that is higher density than some of the adjacent lots, but is still low enough to be compatible with the character of the area.*

Principle 9 (existing): Existing development has begun to create an identity for the plan area based on architectural styles, quality of design and compatibility with the natural landscape. The community is looking to the plan to solidify this identity by requiring compatible new development.

*The request generally furthers Guiding Principle 9 because the housing will be similar to what has already been developed in the area. Therefore, the future homes would contribute to the identity for the Plan area and be compatible new development.*

Principle 2 (zoning): The predominant residential zone is R-D, which allows single family and townhouse development, according to maximum density established by the Plan. Lowest densities are in areas with the least land assembly potential.

*The proposed zone change furthers Zoning Principle 2 because the zoning would be R-D, the predominant residential zone, and the density would be greater than adjacent parcels but consistent with nearby residential densities. The proposed development will be single family residential development at approximately 6.1 DU per acre. The La Cueva Plan RD density map density shows densities between 3 DU per acre and 7 DU per acre. The subject site consists of two parcels that have been assembled and have access to urban infrastructure.*

Principle 5 (zoning): New development should contribute to the identity of this part of Albuquerque, reinforcing its relationship to the Sandia Mountains, Rio Grande Valley and the natural environment of the east mesa. A variety of design standards are prescribed to reinforce the community identity

and to improve land use compatibility, street and neighborhood character, and overall community design.

*The proposed zone change is subject to the same regulations in the zoning code that apply to all R-D zoned properties within the La Cueva Sector Development Plan and the subdivision requirements of the La Cueva Sector Development Plan. These requirements will result in development that is similar to the surrounding development, although at a higher density than the adjacent lots, and so will reinforce the community identity, street and neighborhood character and community design. The request furthers Zoning Principle 5.*

Principle 6 (zoning): Site Plan review of higher density uses is recommended to assure positive relationship between land uses.

*The requirements of the R-D zone, page 26 of the LCSDP, require site development plan approval for R-D zoned lots that are less than 5,000 square feet (standard R-1 density). The applicant proposes 8 units on 1.3 acres, with lots that will be between 6,000 and 8,000 square feet in size. The proposed zoning would allow lots of approximately 6,000 square feet, above the threshold for additional review. The LCSDP makes a distinction between the SU-2 zoned sites and the straight zones sites in the plan area. The stated intent of the SU-2 zones is to "ensure compatibility of higher density land uses. The R-D zone is not listed among the SU-2 zones. The request is consistent with principle 6.*

The applicant cites an additional policy that staff did not consider:

Plan Purpose ( page 1) " The purpose of the plan is to suggest solutions to the barriers to sound urban development and to establish development standards that contribute to the sense of community in this developing area.

The applicant states that the request is consistent with the intent of sector to overcome challenges to development in the North Albuquerque Acres area and promote urban development.

*This section of the plan goes on to list the existing platting, diverse ownership, piecemeal planning and community identity as the issues to be resolved. The platting and ownership are not an issue for the site because the site is under one ownership. The zoning would add residential development to a residential area but with a higher density. The development allowed by the proposed zoning would be subject to the same requirements as the surrounding development and so could contribute to the community identity.*

#### ***Resolution 270-1980 (Policies for Zone Map Change Applications)***

This Resolution outlines policies and requirements for deciding zone map change applications pursuant to the Comprehensive City Zoning Code. There are several tests that must be met and the applicant must provide sound justification for the change. The burden is on the applicant to show why a change should be made, not on the City to show why the change should not be made.

The applicant must demonstrate that the existing zoning is inappropriate because of one of three findings: there was an error when the existing zone map pattern was created; or changed neighborhood or community conditions justify the change; or a different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other City master plan.

***Analysis of Applicant's Justification***

**Note:** Policy is in regular text; Applicant's justification is in *italics*; staff's analysis is in ***bold italics***

- A. A proposed zone change must be found to be consistent with the health, safety, morals, and general welfare of the city.

*The applicant states that the proposed use is generally compatible with the surrounding uses in the area, the proposed development will have minimal impact on local schools and the area is served by existing infrastructure.*

***Staff agrees that proposed uses are consistent with the health, safety, morals, and general welfare of the city. The proposed zoning will allow the development of single family residential use which generally considered by the Planning Department to be an appropriate use in many areas of the City.***

- B. Stability of land use and zoning is desirable; therefore the applicant must provide a sound justification for the change. The burden is on the applicant to show why the change should be made, not on the city to show why the change should not be made.

*The applicant states that the proposed zone will maintain stability because the allowed uses remain residential and will be consistent with the surrounding development. The area is developed with mixture of R-D uses ranging from 3DU/Acre to 7DU/Acre and county A-1.*

***Staff agrees that the uses allowed under the proposed zone are similar to the surrounding uses. The site is subject to the same regulations in the Zoning Code that apply to all R-D zoned properties within the La Cueva Sector Development Plan and the subdivision requirements of the La Cueva Sector Development Plan. These standards help to ensure that the future housing units will be of a similar quality the existing housing units.***

- C. A proposed change shall not be in significant conflict with adopted elements of the Comprehensive Plan or other city master plans and amendments thereto, including privately developed area plans which have been adopted by the city.

***There is no "significant conflict" with an adopted element of the Comprehensive Plan or the LCSDP. The request furthers a preponderance of applicable Comprehensive Plan policies and LCSDP principles. Refer to policy analysis section for additional analysis.***

- D. The applicant must demonstrate that the existing zoning is inappropriate because:
1. There was an error when the existing zone map pattern was created; or
  2. Changed neighborhood or community conditions justify the change; or

3. A different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other city master plan, even though (D)(1) or (D)(2) above do not apply.

*The applicant cites several policies in the Comprehensive Plan and La Cueva Sector Development Plan to demonstrate that the request is more advantageous to the community as articulated in the goals and policies of the applicable plans.*

*The applicant states that changed neighborhood conditions justify the zone change because the La Cueva area has experienced substantial growth from the time when the Sector Plan was originally adopted and subsequently amended, over nine years ago. Infrastructure development in the area has not only vacated the site as a drainage pond, but has allowed more dense single-family development to take place.*

*The applicant submitted a map showing the developed densities in the area; most of the property was developed before the 2007 change to the LCSDP regarding density calculation and is developed with gross, rather than net acreage. The proposed zoning is consistent with the intent of the LCSDP to allow urban development with a mix of densities.*

- E. A change of zone shall not be approved where some of the permissive uses in the zone would be harmful to adjacent property, the neighborhood, or the community.

*The applicant states that the allowed uses in the existing zone are the same as the proposed uses.*

*Staff agrees that the permissive uses in the proposed zone will not be harmful to the adjacent properties. The proposed zone allows additional density, but the underlying use is still single family residential.*

- F. A proposed zone change which, to be utilized through land development, requires major and unprogrammed capital expenditures by the city may be:
1. Denied due to lack of capital funds; or
  2. Granted with the implicit understanding that the city is not bound to provide the capital improvements on any special schedule.

*The project will not create expenditures for the City.*

*The development on the site will be private and not be paid for by the City. The applicant will be responsible for building the section of Wyoming Boulevard directly adjacent to the site.*

- G. The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a change of zone.

*The applicant states that the purposes of the application is to provide additional housing options in the area that contribute to a more diverse neighborhood and area character and site's current zone density's inability to provide such options; and the specific site's location on an arterial road, which poses several site layout and access constraints.*

---

*The applicant has not cited the economics of the request in the justification. The applicant has justified the request through furtherance of goals and policies of the applicable plans and site conditions.*

- H. Location on a collector or major street is not in itself sufficient justification for apartment, office, or commercial zoning.

*The applicant does not cite the location as a determining factor in the request.*

*The applicant is not requesting apartment, office or commercial zoning. The location is relevant to the request because the plan mostly shows lower density RD sites to the east and higher density sites to the west.*

- I. A zone change request which would give a zone different from surrounding zoning to one small area, especially when only one premise is involved, is generally called a "spot zone." Such a change of zone may be approved only when:
1. The change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan; or
  2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.

*The applicant states that the zoning remains R-D, so the site is not a spot zone.*

*The proposed zone would be an R-D zone, allowing single family residential use at a higher density than the adjacent property, but still similar to the surrounding uses. Additionally, the intent of the prohibition against spot zone is to make sure that adjacent land uses are compatible.*

- J. A zone change request, which would give a zone different from surrounding zoning to a strip of land along a street is generally called "strip zoning." Strip commercial zoning will be approved only where:
1. The change will clearly facilitate realization of the Comprehensive Plan and any adopted sector development plan or area development plan; and
  2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones or because the site is not suitable for the uses allowed in any adjacent zone due to traffic or special adverse land uses nearby.

*The site is not a strip of property.*

*As discussed in the section on spot zoning, the intent of the prohibitions on spot and strip zoning is to prevent incompatible land uses from developing adjacent to one another. The proposed uses are compatible with surrounding uses because the allowed uses in the existing and proposed zones are single family residential.*

### ***Other Analysis***

A traffic impact analysis was not required for this project because it does meet the threshold for such analysis.

The proposed uses will add additional housing on the east side of the river where the jobs to housing ratio contains more jobs than houses.

## ***IV. AGENCY & NEIGHBORHOOD CONCERNS***

### ***Reviewing Agencies***

The Long range Planning Division sent comments for the May hearing that express concern about adding an additional SU-1 zone to the city as we already have over 500 SU-1 zones.

The request has been revised based on the discussion at the May hearing, partly in response to these comments.

### ***Neighborhood/Public***

Nor Este Neighborhood Association, Quivera Estates HOA and the District 4 Coalition of Neighborhood Association were re-notified. City staff re-notified property owners within 100 feet of the site.

Prior to the May EPC Hearing staff received several comments:

- Staff received a phone call expressing concern about the density of the request and loss of views for residents living west of Wyoming Blvd.
- Staff received calls from the president of the Desert Ridge HOA asking for more information about the project. He stated that they are not concerned about the proposed development.
- Staff received 4 additional calls regarding the project one person was not opposed; staff is awaiting comments from three callers.

A facilitated meeting occurred on May 25<sup>th</sup>, as discussed on page 1. There is opposition to the allowed density and height of the proposed zone and concerns about drainage and traffic.

Staff received additional comments from the Mountain Trails HOA expressing support for the project if there are no more than three 2-story houses and that they be located on Lots 1, 2, and 8, which are not adjacent to any existing homes. As discussed on page 1, any agreement between the applicant and the neighbors would be a private agreement and would not be enforceable by the City.

Staff also received a letter opposing the request from a representative of Glendale Estates stating that the development would not conform to the neighborhoods east of Wyoming and expressing concerns about the development quality.

Comments received after the 48 hour rule for the May hearing are also included.

## *V. CONCLUSION*

This is a request for an amendment to the LCSDP to amend the zoning from R-D 3 DU/Acre to RD 7 DU /acre. The proposed density is lower than density in the R-1 single family zone. Future development on the site will be subject to the subdivision requirements of the LCSDP and the Zoning Code Requirements of the R-D zone, with the density restrictions in the LCSDP.

The applicant has justified the request as being more advantageous to the community as articulated in the goals and policies of the applicable plans and due to changed conditions in the form of additional drainage infrastructure that makes the drainage pond obsolete and additional infrastructure that can support the additional density.

The request will add housing on the east side of the river where more housing is appropriate to address the jobs to housing imbalance between the east and west sides of the City where there are more jobs on the east side and more houses on the west side.

***FINDINGS - 16EPC-40020 June 9, 2016 -Zone Map Amendment***

1. This is a request for a zone map amendment (amendment to the La Cueva Sector Development Plan) for lots 31 and 32, block 11 tract 1, unit 3 of the North Albuquerque Acres located on the northeast corner of Glendale Ave and Wyoming Boulevard containing approximately 1.6 acres from R-D 3 DU/acre to RD 7 DU per acre.
2. The request was initially heard at the May 12, 2016 EPC hearing as was deferred to allow time for the offer of a facilitated meeting with the interested parties and re-notification of property owners.
3. The request constitutes an amendment to the La Cueva Sector Development Plan because the existing R-D 3 DU per acre zone was imposed by the La Cueva Sector Development Plan.
4. The subject site vacant and has been used as a drainage pond; improvements to the drainage infrastructure in the La Cueva area have made the pond obsolete.
5. The La Cueva Sector Development Plan was amended in 2007 to clarify that density is based on the net density rather than the gross density of a site. Sites developed before 2007 may have the same zoning, but a different density than sites developed after 2007.
6. The Albuquerque/Bernalillo County Comprehensive Plan, La Cueva Sector Development Plan and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
7. The subject site is within the Developing Urban Area of the Comprehensive Plan. The request is in general compliance with the following applicable goals and policies of the Comprehensive Plan:
  - A. The goal of the Established and Developing Urban Area is “to create a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas and life styles, while creating a visually pleasing built environment.”

***The request would generally contribute to creating a quality urban environment. The site is subject to the same regulations in the zoning code that apply to all R-D zoned properties within the La Cueva Sector Development Plan and the subdivision requirements of the La***

---

***Cueva Sector Development Plan Though the request would not result in variety, it would provide more housing choices. The request generally furthers the Developing and Established Urban Area Goal.***

- B. Policy II.B.5d: The location, intensity and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural, or recreational concern.

***The site will be developed at a density greater than the parcels directly adjacent to the site, but will be required to meet the same requirements of LCSDP and Zoning Code, including height and setbacks as the surrounding properties. The proposed development will meet the required 2,400 square feet of open space on site for a total of approximately 19,000 square feet as opposed to the 9,600 that would be required on the 4 units that are currently allowed. The request further Policy II.B.5d.***

- C. Policy II.B.5e: New growth shall be accommodated through development in areas where vacant land is contiguous to existing or programmed urban facilities and services and where the integrity of existing neighborhoods and can be ensured.

***The subject site is vacant. Development would be contiguous to existing urban facilities roads, water and sewer, electricity and existing services, the use of which would not disrupt neighborhood integrity. The request further Policy II.B.5e.***

- D. Policy II.B.5.h: Higher density housing is most appropriate in the following situations:

1. In designated Activity Centers.
2. In areas with excellent access to the major street network.
3. In areas where a mixed density pattern is already established by zoning or use, where it is compatible with existing area land uses and where adequate infrastructure is or will be available.
4. In areas now predominantly zoned single-family only where it comprises a complete block face and faces onto similar or higher density development; up to 10 dwelling units per net acre.
5. In areas where a transition is needed between single-family homes and much more intensive development: densities will vary up to 30 dwelling units per net acre according to the intensity of development in adjacent areas.

***The subject site is in an area with a somewhat mixed density pattern. The lots directly adjacent to the site are zoned RD 3DU per acre and developed with lots that are approximately .28 acres in size. There is SU -RD 5DU per acre on the south side of Glendale Ave. with lots that are .21 to .23 acres in size. The housing across Wyoming from the site is zoned RD 5 DU per acre and developed with lots that are between .15 and .18 acres in size. The lots just south of those are zoned 7DU per acre with lots that are between .10 and .16 acres in size. The site has full access to the major street network and adequate infrastructure. The request further Policy II.B.5.h***

- E. Policy II.B.5 l: Quality and innovation in design shall be encouraged in all new development; design shall be encouraged which is appropriate to the Plan area.

*Without a Site Development Plan for Building Permit or similar plan, it is difficult to assess the quality and /or innovation of the future designs. Staff believes that this policy is not relevant to the request.*

- F. Policy II.B.5p: Cost-effective redevelopment techniques shall be developed and utilized.

*The proposed zoning and design allows for new development that will result roadway construction while supporting appropriate infill development. The property is vacant and currently the site of a temporary drainage pond that is no longer needed. The redevelopment of the pond will require significant grading and filling that will be done by the applicant. The request furthers Policy II.B.5p.*

- G. Transportation and Transit Policy II.D.4c: In order to add transit ridership, and where it will not destabilize adjacent neighborhoods, additional dwelling units are encouraged close to Major Transit and Enhanced Transit streets.

*Wyoming Boulevard is a Comprehensive Plan designated Enhanced Transit Corridor south of Alameda, approximately .5 miles south of the site. Although the site is not directly located on the transit corridor, this development could potentially increase transit ridership and will contribute to the existing character of the adjacent neighborhoods furthering this policy. The request partially furthers Policy II.D.4c.*

The applicant cites additional policies that staff did not consider:

- H. Air Quality Policy II.C.1b: Automobile travel's adverse effects on air quality shall be reduced through a balanced land use/transportation system that promotes the efficient placement of housing, employment and services.

*The proposed development will place additional housing near employment and services and may decrease the need for auto mobile travel. The request furthers Air Quality Policy II.C.1b*

- I. Energy Management Policy II.D.3c: Land use planning that will maximize potential for efficient use of alternative and renewable energy sources shall be undertaken.

*The proposed development will place additional housing at a slightly higher density near existing goods and services. This may decrease traffic. This policy seems to be directed at the use of alternative and renewable energy and does not seem applicable to the request.*

- J. Solid Waste Policy IIC.3c: Illegal dumping shall be minimized.

*The proposed development will minimize any illegal activity, including dumping, on the site. However, if the lots were developed under the existing zoning the result would be the same. The request furthers Solid Waste Policy IIC.3c, but other types of development on the site would also further this policy.*

- K. Service Provision Policy II.D.1c: The existing public service area should be highest priority for

service, capacity, use, maintenance, and rehabilitation.

*The development will further Policy II.D.1c; this is also discussed in Policy II.B5e.*

8. The subject site is within the boundaries of the La Cueva Sector Development Plan. The following policies are applicable to the request:

- A. 1.3 Overarching Guiding Principles (p. 4): Principle 4: Land uses that are compatible with existing development.

*The request generally furthers overarching Guiding Principle 4 because the resulting single-family homes would be compatible with the existing single-family homes nearby and would be subject to the same Zoning Code and LCSDP requirements as the existing development.*

GUIDING PRINCIPLES (P. 25-26):

- B. Principle 2 (existing): The plan area is intended to be urban , with a mix of residential densities and a variety of retail and service businesses to meet the needs of the area's growing population.

*The request adds appropriate density that is similar to the existing nearby density to the area furthering the goals of making the plan area more urban. The request is consistent with Principle 2(existing).*

- C. Principle 3 (existing): The diverse ownership and platting of land is problematic for higher density land uses. Current Zoning and recent development decisions have eroded the ability of the City to require land Assembly by window as specified in the La Cueva Land Use Guide.

*The proposed zoning and development will occur on assembled parcels and will add housing that is higher density than some of the adjacent lots, but is still low enough to be compatible with the character of the area.*

- D. Principle 9 (existing): Existing development has begun to create an identity for the plan area based on architectural styles, quality of design and compatibility with the natural landscape. The community is looking to the plan to solidify this identity by requiring compatible new development.

*The request generally furthers Guiding Principle 9 because it would be subject to the proposed Design Standards and the housing will be similar to what has already been developed in the area. Therefore, the future homes would contribute to the identity for the Plan area and be compatible new development.*

- A. Principle 2 (zoning): The predominant residential zone is R-D, which allows single family and townhouse development, according to maximum density established by the Plan. Lowest densities are in areas with the least land assembly potential.

*The proposed zone change furtheres Zoning Principle 2 because the zoning would be R-D, the predominant residential zone, and the density would be greater than adjacent parcels but consistent with nearby residential densities. The proposed development will be single family residential development at approximately 6 DU per acre. The La Cueva Plan RD density map*

---

*density shows densities between 3 DU per acre and 7 DU per acre. The subject site consists of two parcels that have been assembled and have access to urban infrastructure.*

- B. Principle 5 (zoning): New development should contribute to the identity of this part of Albuquerque, reinforcing its relationship to the Sandia Mountains, Rio Grande Valley and the natural environment of the east mesa. A variety of design standards are prescribed to reinforce the community identity and to improve land use compatibility, street and neighborhood character, and overall community design.

*The site is subject to the same regulations in the zoning code that apply to all R-D zoned properties within the La Cueva Sector Development Plan and the subdivision requirements of the La Cueva Sector Development Plan.. These design regulations serve to reinforce community identity and improve land use compatibility. The request furthers Zoning Principle 5.*

- C. Principle 6 (zoning): Site Plan review of higher density uses is recommended to assure positive relationship between land uses.

*The requirements of the R-D zone, page 26 of the LCSDP, require site development plan approval for R-D zoned lots that are less than 5,000 square feet (standard R-1 density). The applicant proposes 8 units on 1.3 acres, with lots that will be between 6, 000 and 8,000 square feet in size. The proposed zoning would allow lots of approximately 6,000 square feet, above the threshold for additional review. The LCSDP makes a distinction between the SU-2 zoned sites and the straight zones sites in the plan area. The stated intent of the SU-2 zones is to "ensure compatibility of higher density land uses. The R-D zone is not listed among the SU-2 zones. The request is consistent with principle 6.*

1. The applicant has justified the zone change request pursuant to R-270-1980 as follows:

A. The proposed use is consistent with the health, safety, morals, and general welfare of the city. The proposed zoning will allow the development of single family residential use which is compatible with the surrounding uses in the area, the proposed development will have minimal impact on local schools and the area is served by existing infrastructure.

B. The uses allowed under the proposed zone are similar to the surrounding uses. The site is subject to the same regulations in the zoning code that apply to all R-D zoned properties within the La Cueva Sector Development Plan and the subdivision requirements of the La Cueva Sector Development Plan. These standards help to ensure that the future housing units will be of a similar quality the existing housing units. The area is developed with mixture of R-D uses ranging from 3DU/Acre to 7DU/Acre and county A-1.

C. Policy Analysis- see findings 5 and 6

D. The applicant cites several policies in the Comprehensive Plan and La Cueva Sector Development Plan to demonstrate that the request is more advantageous to the community as articulated in the goals and polices of the applicable plans.

The applicant states that changed neighborhood conditions justify the zone change because the La Cueva area has experienced substantial growth from the time when the Sector Plan was originally adopted and subsequently amended. Infrastructure development in the area has not only vacated the site as a drainage pond, but has allowed additional infrastructure that can more dense single-family development to take place.

**E.** the permissive uses in the proposed zone will not be harmful to the adjacent properties. The proposed zone allows additional density, but the underlying use is still single family residential.

**F.** The development on the site will be private and not be paid for by the City. The applicant will be responsible for building the section of Wyoming Boulevard directly adjacent to the site

**G.** The applicant has not cited the economics of the request in the justification. The applicant has justified the request through furtherance of goals and policies of the applicable plans and site conditions.

**H.** The applicant is not requesting apartment, office or commercial zoning. The location is relevant to the request because the plan mostly shows lower density RD sites to the east and higher density site to the west.

**I.** The proposed zone would be an R-D zone, allowing single family residential use at a higher density than the adjacent property, but still similar to the surrounding uses. Additionally, the intent of the prohibition against spot zone is to make sure that adjacent land uses are compatible.

**J.** As discussed in the section on spot zoning, the intent of the prohibitions on spot and strip zoning is to prevent incompatible land uses from developing adjacent to one another. The proposed uses are compatible with surrounding uses because the allowed uses in the existing and proposed zones are single family residential.

2. Property owners within 100 feet of the site were notified of the original request and re-notified of this request.
3. Prior to the May hearing the Nor Este Neighborhood Association, Quivera Estates HOA and the District 4 Coalition of Neighborhood Association were notified. Staff received a phone call expressing concern about the density of the request and loss of views for residents living west of Wyoming Blvd. Staff received calls from the president of the Desert Ridge HOA asking for more information about the project. He stated that they are not concerned about the proposed development. Staff received 4 additional calls regarding the project one person was not opposed; staff is awaiting comments from three callers.
4. The affected neighborhood associations were re-notified of this request for the June hearing.
5. A facilitated meeting occurred on May 25 at the North Domingo Baca Multigenerational Center. Some meeting participants expressed concerns about the proposed density and the

---

precedent that it might set for future higher density development. Other concerns included two story homes blocking views and impacting the privacy of adjacent neighbors, drainage, obstruction of views by street trees, the desire to have the development gated and a preference for the previous SU-1 zoning.

6. Staff received an additional letter of opposition from a nearby property owner and a letter of conditional support from the Mountain Trails HOA.

***RECOMMENDATION - 16EPC-40020 , May 12, 2016***

**APPROVAL of 16 EPC 40020, a request for Zone Map Amendment from RD 3 DU per acre to RD 7 Du per acre o for lots 31 and 32, block 11 tract 1, unit 3 of the North Albuquerque Acres located on the northeast corner of Glendale Ave and Wyoming Boulevard containing approximately 1.6 acres on the preceding Findings and subject to the following Conditions of Approval .**

---

---

***Maggie Gould  
Planner***

***Notice of Decision cc list:***

Consensus Planning	302 8 <sup>th</sup> ST NW	ABQ , NM 87102
Albuquerque Development LLC,	8300 Carmel AVE NE	ABQ, NM 87122

---

## ***CITY OF ALBUQUERQUE AGENCY COMMENTS***

### ***PLANNING DEPARTMENT Zoning Enforcement***

#### ***Office of Neighborhood Coordination***

Nor Este NA (R)

Quivera Estates HOA

District 4 Coalition of NA's

4/14/16 – Proof provided in packet that Agent/Applicant did contact ONC for their Inquiry Letter on 3/24/16 – siw

4/14/16 – Proof provided in packet that Agent/Applicant did send out certified mail to the NA's on 3/31/16 – siw

#### ***Long Range Planning***

- a. Question: Why is SU-1 being requested when R-D 5 du/ac zoning already exists in the sector development plan?
- b. The intent language of the SU-1 zone (§14-16-2-22) states: "This zone provides suitable sites for uses which are special because of infrequent occurrence, effect on surrounding property, safety, hazard, or other reasons, and in which the appropriateness of the uses to a specific location is partly or entirely dependent on the character of the site design."
- c. The subject request appears to be a misuse of the SU-1 zone: the proposed use is not special because of infrequent occurrence; the site's location and the existing zoning allow development of appropriate single-family uses without adverse effect on surrounding single-family properties; the site is not unusually shaped; the appropriateness of the use is not dependent on the character of the site design.
- d. The existing zoning (R-D-3du/ac) or another existing R-D zone available in the sector development plan would adequately allow and control the proposed use.
- e. The submitted R-270-1980 justification does not explain how or why the site cannot be developed with the proposed use under the existing zoning (R-D 3du/ac) or another zone that already exists in the sector development plan, such as R-D 5du/ac, when it asserts that the existing zoning is inappropriate.
- f. This request *is* a spot zone because the change would give a zone (SU-1) different from surrounding zoning (R-D) to one small area (subject site), especially when only one premise is involved (applicant owns both lots).

- g. The City already has over 550 separate SU-1 zones for individual sites, all site development plan controlled, that contribute to additional layers of regulation and processes for individual developments. Many of these SU-1 zones have been found to be unnecessary, in large part, because special provisions and special design standards may create confusion and inconsistencies for multiple stakeholders (owners, buyers, builders, neighbors, and staff) during the review, implementation and enforcement processes.
- h. If the zone change and corresponding site development plan are approved, please ensure that any special provisions, standards, and rules are clear and consistent.

**Metropolitan Redevelopment Agency**

**CITY ENGINEER**

**Transportation Development**

**Hydrology Development**

**DEPARTMENT of MUNICIPAL DEVELOPMENT**

**Transportation Planning**

Per MRCOG's 2040 Long Range Roadway System Map, Wyoming Blvd. is a Regional Principal Arterial. Per MRCOG's 2040 Long Range Bikeway System Map, Wyoming Blvd. is supposed to contain a Bicycle Lane, which is presently missing across the subject property's frontage and on the Site Development Plan for Subdivision as proposed.

**Traffic Engineering Operations**

**WATER UTILITY AUTHORITY**

**Utility Services**

- . The following pro rata is due prior to approval.
  - a. Lot 32
    - i. Water: \$6,927.96
    - ii. Sanitary sewer: \$3,792.89
  - b. Lot 31
    - i. Water: \$2,059.18
    - ii. \$3,269.23
- 2. Availability statement #160202 has been issued which provides the requirements for service.

---

***ENVIRONMENTAL HEALTH DEPARTMENT***

***PARKS AND RECREATION***

***Planning and Design***

16EPC-40040019 – Site Development Plan for Subdivision  
Reviewed, defer to Transportation.  
16EPC-40020 Sector Development Plan Map Amendment (Zone Change).  
Reviewed, no comments.

***Open Space Division***

***City Forester***

***POLICE DEPARTMENT/Planning***

***SOLID WASTE MANAGEMENT DEPARTMENT***

***Refuse Division***

No comment on Zone change request. Subdivision will use residential carts for refuse service.

***FIRE DEPARTMENT/Planning***

***TRANSIT DEPARTMENT***

Adjacent and nearby routes	None
Adjacent bus stops	None
Site plan requirements	None
Large site TDM suggestions	None.
Other information	None

***COMMENTS FROM OTHER AGENCIES***

***BERNALILLO COUNTY***

---

***ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY***

No objection to Site Development Plan. Prior to release of building permit, AMAFCA will require verification that the pipe outfall from the former pond has been removed or plugged, or if it will be removed or plugged with the proposed subdivision.

***ALBUQUERQUE PUBLIC SCHOOLS***

**North Albuquerque Acres Unit 3**, Lots 31 and 32, Block 11, Tract 1, is located on Glendale Ave NE at Wyoming Blvd NE. The owner of the above property requests approval of a Site Development Plan for Subdivision and a Sector Development Plan Map Amendment to allow for a Zone Change from RD-3 to SU-1 for RD-5 for the development of 8 single family homes. Any residential development in this area will have impacts to North Star Elementary School, Desert Ridge Middle School, and La Cueva High School. Currently, all three schools have excess capacity.

Loc No	School	2015-16 40th Day	Capacity	Space Available
268	North Star ES	600	630	30
430	Desert Ridge MS	970	1085	115
525	La Cueva HS	1776	1950	174

**Residential Units: 8**

**Est. Elementary School Students: 3**

**Est. Middle School Students: 1**

**Est. High School Students: 1**

**Est. Total # of Students from Project: 5**

\*The estimated number of students from the proposed project is based on an average student generation rate for the entire APS district.

***MID-REGION COUNCIL OF GOVERNMENTS***

MRMPO has no adverse comments.

***MIDDLE RIO GRANDE CONSERVANCY DISTRICT***

***PUBLIC SERVICE COMPANY OF NEW MEXICO***

1. It is the applicant's obligation to determine if existing utility easements or rights-of-way are located on or adjacent to the property and to abide by any conditions or terms of those easements.

2. It is necessary for the developer to contact PNM's New Service Delivery Department to coordinate electric service regarding this project.

Contact: Mike Moyer  
PNM Service Center  
4201 Edith Boulevard NE  
Albuquerque, NM 87107  
Phone: (505) 241-3697

# CITY OF ALBUQUERQUE



**PLANNING DEPARTMENT**  
**URBAN DESIGN & DEVELOPMENT DIVISION**  
600 2nd Street NW, 3rd Floor, 87102  
P.O. Box 1293, Albuquerque, NM 87103  
Office (505) 924-3860 Fax (505) 924-3339

## OFFICIAL NOTIFICATION OF DECISION

May 13, 2016

Albuquerque Development, LLC  
8300 Carmel Ave NE  
ABQ, NM 87122

**Project# 1010809**

16EPC-40019 Site Development Plan for Subdivision  
16EPC-40020 Sector Development Plan Map Amendment  
(Zone Change)

**LEGAL DESCRIPTION:**

The above actions for all or a portion of Lots 31 and 32,  
Block 11, Tract 1, North Albuquerque Acres, Unit 3,  
zoned RD-3 DU/ACRE to SU-1 for RD uses not to  
exceed 8 DUs, located on Glendale Ave. NE at Wyoming  
Blvd. NE, containing approximately 1.6 acres. (B-19)  
Staff Planner: Maggie Gould

PO Box 1293

On May 12, 2016 the Environmental Planning Commission (EPC) voted to DEFER Project #1010809/16EPC-40019, a Site Development Plan for Subdivision and 16EPC-40020 Sector Development Plan Map Amendment (Zone Change), based on the following findings and conditions:

Albuquerque

**FINDINGS – 16-EPC-40019 - Site Development Plan for Subdivision:**

New Mexico 87103

1. The case is deferred to the June 9<sup>th</sup>, 2016 hearing to allow for proper neighborhood notification and the offer or a facilitated meeting.

www.cabq.gov

**FINDINGS – 16-EPC-40020 - Sector Development Plan Map Amendment (Zone Change):**

1. The case is deferred to the June 9<sup>th</sup>, 2016 hearing to allow for proper neighborhood notification and the offer or a facilitated meeting.

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the EPC's decision or by **MAY 27, 2016**. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the 15<sup>th</sup> day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section 14-16-4-4 of the Zoning Code. A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is required at the time the appeal is filed. It is not possible to appeal EPC Recommendations to City Council; rather, a formal protest of the EPC's Recommendation can be filed within the 15 day period following the EPC's decision.

OFFICIAL NOTICE OF DECISION

Project #1010809

May 12, 2016

Page 3 of 3

Jill Mason, 9120 Twilight Ln. NE, ABQ, NM 87122

Fred Tilden, 7608 Florence Ave NE, ABQ, NM 87122

Mildred Griffie, 8208 Eagle Rock Ave NE, ABQ, NM 87122

John Lowe, 449 Live Oak Loop NE, ABQ, NM 87122

Scott Schiater, 9400 Del Arroyo NE, ABQ, NM 87122

JoAnn Milam, 8005 Merissa Ln. NE, ABQ, NM 87122

## APPLICATION INFORMATION

**Gould, Maggie S.**

---

**From:** Jaime Jaramillo <jaramillo@consensusplanning.com>  
**Sent:** Wednesday, May 18, 2016 10:05 AM  
**To:** Gould, Maggie S.; Dicome, Kym  
**Cc:** Jim Strozier  
**Subject:** Desert Ridge Pointe - EPC Case #1010809: Amended Request

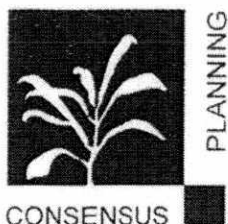
Good morning Maggie,

Based on both initial conversation with planning staff and the EPC opinion, Desert Ridge Pointe applicant (EPC Case #1010809) requests to withdraw the first application request: a Sector Development Plan Zone Map amendment from RD 3DU/acre to SU-1 for RD uses not to exceed 8 DU and site plan for subdivision.

We now respectfully request the zone map amendment from RD 3DU/acre to straight City of Albuquerque RD Zoning at 7DU/acre.

I am happy to answer any questions about the amendment or the application in general.

Thank you,  
Jaime Jaramillo



CONSENSUS

June 9, 2016

Landscape Architecture  
Urban Design  
Planning Services

Chairman Ms. Karen Hudson  
Environmental Planning Commission  
600 2nd Street, NW  
Albuquerque, NM, 87102

302 Eighth St. NW  
Albuquerque, NM 87102

(505) 764-9801  
Fax 842-5495  
cp@consensusplanning.com  
www.consensusplanning.com

**RE: La Cueva Sector Plan Amendment for a Zone Change from RD-3 DU/Acre to RD-7 DU/Acre**

Dear Chairman Hudson:

Consensus Planning, Inc., on behalf of ABQ Development, LLC (Applicant), requests an approval of the proposed amendment to the City of Albuquerque La Cueva Sector Development Plan (SDP or Sector Plan) from RD-3 DU/Acre to RD-7 DU/Acre (Application) on the real property described as Lots 31 and 31, Block 11, Tract 1, Unit 3, North Albuquerque Acres (containing an estimated 1.6 acres). Prior to infrastructure development in the surrounding areas, the two lots were used as a drainage pond that now, which after being vacated, could attract illegal dumping and loitering. If this application is approved, the site will be developed with 8 residential lots with similar neighborhood character to nearby neighborhoods. The SDP amendment, is supported further in the following justification by applicable plans and policies, including Resolution 270-1980.



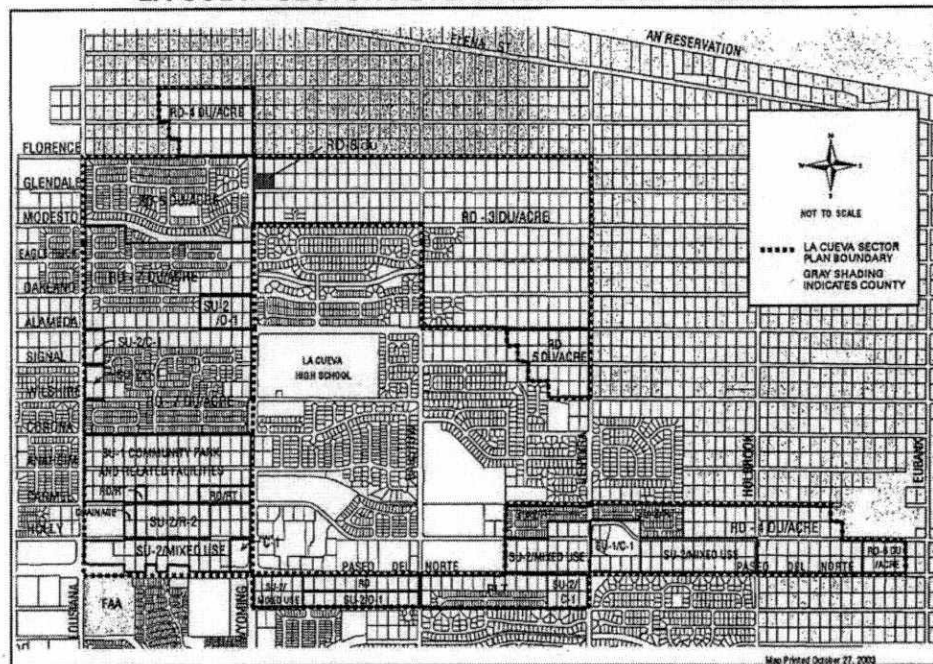
**PRINCIPALS**

James K. Strozier, AICP  
Christopher J. Green, PLA,  
ASLA, LEED AP  
Jacqueline Fishman, AICP  
Laurie Firor, PLA, ASLA

### Context and History of the Subject Site

The subject site is 1.6 acres of vacant land, which is surrounded on all sides by developed single family housing at a range of densities. Currently, it is the site of a temporary drainage pond and is no longer required for drainage based on several infrastructure improvements in this area in recent years. Located on the northeast corner of Glendale Avenue and Wyoming Boulevard, the subject site is zoned RD 3 du/acre per the La Cueva Sector Development Plan, which was adopted in 2000 and amended in 2003 and 2007. The RD zone is the predominant residential zone in the plan area. Maximum densities for areas zoned RD are established in the Sector Plan Zone Map. Densities gradually decrease toward the north and east from the SW corner of the plan area (Louisiana & Paseo del Norte). Properties closer to Paseo del Norte are zoned 6 & 7 du/acre while properties at the far north and east edges of the plan area are zoned 3 & 4 du/acre.

### LA CUEVA SECTOR DEVELOPMENT PLAN - ZONING





CONSENSUS

PLANNING

**Policy A** "A proposed zone change must be found to be consistent with the health, safety, morals, and general welfare of the city."

*The Application will contribute to the health, safety, morals and general welfare of the neighborhood community and City. The proposed zone change is compatible with adjacent land uses and furthers the intent of the La Cueva Sector Plan for a mixed density community. Currently the site is a vacated drainage pond that could attract dumping and loitering and potentially cause neighborhood disturbances. Developing these lots could mitigate those potential issues. Additionally, the site is already served by public infrastructure and future residential development would have minimal impact on local schools given the proposed number of lots.*

**Policy B** "Stability of land use and zoning is desirable; therefore the applicant must provide a sound justification for the change. The burden is on the applicant to show why the change should be made, not on the city to show why the change should not be made."

*Land use and zoning stability will be maintained. The proposed use will remain residential and is consistent with existing uses and zoning in the surrounding neighborhoods. The proposed density is compatible with the mixed density character of the surrounding neighborhoods, as demonstrated in the six zoning categories surrounding the Subject Site (R-D, RD-3, RD-4, RD-5, RD-7, and A-1).*

**Policy C** "A proposed change shall not be in significant conflict with adopted elements of the Comprehensive Plan or other city master plans and amendments there, to, including privately developed area plans which have been adopted by the city."

*The proposed zone change is not in conflict with applicable elements of the Comprehensive Plan and the La Cueva Sector Development Plan as demonstrated below:*

*The Subject Site is located in the area designated Developing Urban by the Comprehensive Plan with a goal to "Create a quality urban environment... which offers variety and maximum choice in housing, transportation, work areas and life styles while creating visually pleasing built environment." This Application is trying to do just that, namely, offer a "variety and maximum choice in housing...and life styles while creating a visually pleasing built environment."*

#### **ALBUQUERQUE/BERNALILLO COUNTY COMPREHENSIVE PLAN**

The following policies are supported and furthered by the proposed zone change:

**Policy I:** "Quality and innovation in design shall be encouraged in all new development; design shall be encouraged which is appropriate to the Plan area."

*The applicant proposes above and beyond what is required for improvements to the public right-of-way, which facilitates quality and innovation in design that is appropriate to the plan area. Additionally, the developer has not only a history of, but a reputation which proves the high design quality and larger footprint and custom home character which is typical in La Cueva neighborhoods.*

*Through the use of an individual cul-de-sac, the 8 homes will have one access point onto Glendale Avenue. The developer proposes extensive streetscape landscaping which will improve pedestrian perception and safety on this corner. Additionally, through the design of the subdivision, the properties will be developed with maximum efficiency in infrastructure cost while maintaining the quality and character of the surrounding neighborhoods.*

**Policy p: Cost-effective redevelopment techniques shall be developed and utilized.**

*As stated above, the design allows for very cost effective use of infrastructure and roadway construction supporting appropriate infill development. The infill character of the proposed project will benefit from the proximity to the transportation system, and North Domingo Baca Park and Multigenerational Center.*

*Furthermore, the property is vacant and currently the site of a temporary drainage pond that is now obsolete due to infrastructure improvements. The redevelopment of the pond will require significant grading and filling.*

**Policy II.B.5.d: "The location, intensity, and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural, recreational concern".**

*The location and intensity of development under the proposed residential zoning will respect the values of the existing residential neighborhoods. The requested zoning allows development that is consistent with the existing neighborhood mix of density and housing types and will provide additional open space, much needed infill, and complete the road system at this corner in the Sector Plan area.*

*The project, supported by the requested zoning, will provide above the required 2,400 square feet of open space per dwelling unit, which results in a total of 25,782 square feet of open space, consistent with neighborhood values as documented in the Sector Plan. If developed under the current zoning (RD 3du/acre) the site could be subdivided into four lots and the required open space is only 9,600 square feet. The proposed zone change, and subsequent subdivision, will provide more than double the original open space required furthering the intent of the LCSDP to create more open space opportunities and larger pockets of open space.*



*This request allows slightly higher-density residential infill development, which will provide for additional right-of-way and improvements to the adjacent roadways that will help to complete the area's recreational conditions on the street and sidewalk.*

**Policy II.B.5.e: New growth shall be accommodated through development in areas where vacant land is contiguous to existing or programmed urban facilities and services and where the integrity of existing neighborhoods can be ensured.**

*The subject property is vacant and is contiguous to existing infrastructure. This area has seen tremendous growth over the past decade and has developed with a mixed density pattern of single-family residential uses, which is similar in character to the request herein.*

**Policy II.B.5.h: "Higher density housing is most appropriate in...areas with excellent access to the major street network...in areas where a mixed density pattern is already established by zoning or use."**

*The subject site has excellent access to the road network as it abuts Wyoming Boulevard. The area in the near vicinity is established with a mix of single-family residential densities. The request is consistent with these densities.*

**Air Quality Policy b: Automobile travel's adverse effects on air quality shall be reduced through a balanced land use/transportation system that promotes the efficient placement of housing, employment and services.**

*Increasing density, particularly in an area as well connected as the subject site, in a way that employs innovative design and layout, streetscape landscaping, etc. promotes the efficient use of land and resources furthering this policy.*

**Energy Management Policy c: Land use planning that will maximize potential for efficient use of alternative and renewable energy sources shall be undertaken.**

*The proposed increase in density furthers this policy. Efficient use of land for appropriate housing is key to the reduction of our energy needs. This relates to limiting sprawl, reduction in landscaping irrigation, placing more people proximate to goods and services, etc.*

**Solid Waste Policy c: Illegal dumping shall be minimized.**

*Providing infill development on these vacant parcels minimizes not only illegal dumping, but minimizes crime ensuring a safer and higher quality neighborhood for future residents of this development, but for existing residents as well.*

**Service Provision Policy c:** The existing public service area should be highest priority for service, capacity, use, maintenance, and rehabilitation.

*The project site is located within the existing public service area and constitutes high quality urban infill. This policy is furthered through this development proposal.*

**Transportation and Transit Policy c:** In order to add transit ridership, and where it will not destabilize adjacent neighborhoods, additional dwelling units are encouraged close to Major Transit and Enhanced Transit streets.

*Desert Ridge Pointe is located on Wyoming Boulevard; a Comprehensive Plan designated Enhanced Transit Corridor. Development of the proposed project could potentially increase transit ridership and will contribute to the existing character of the adjacent neighborhoods furthering this policy.*

## **LA CUEVA SECTOR DEVELOPMENT PLAN**

### **5.1 Guiding Principles**

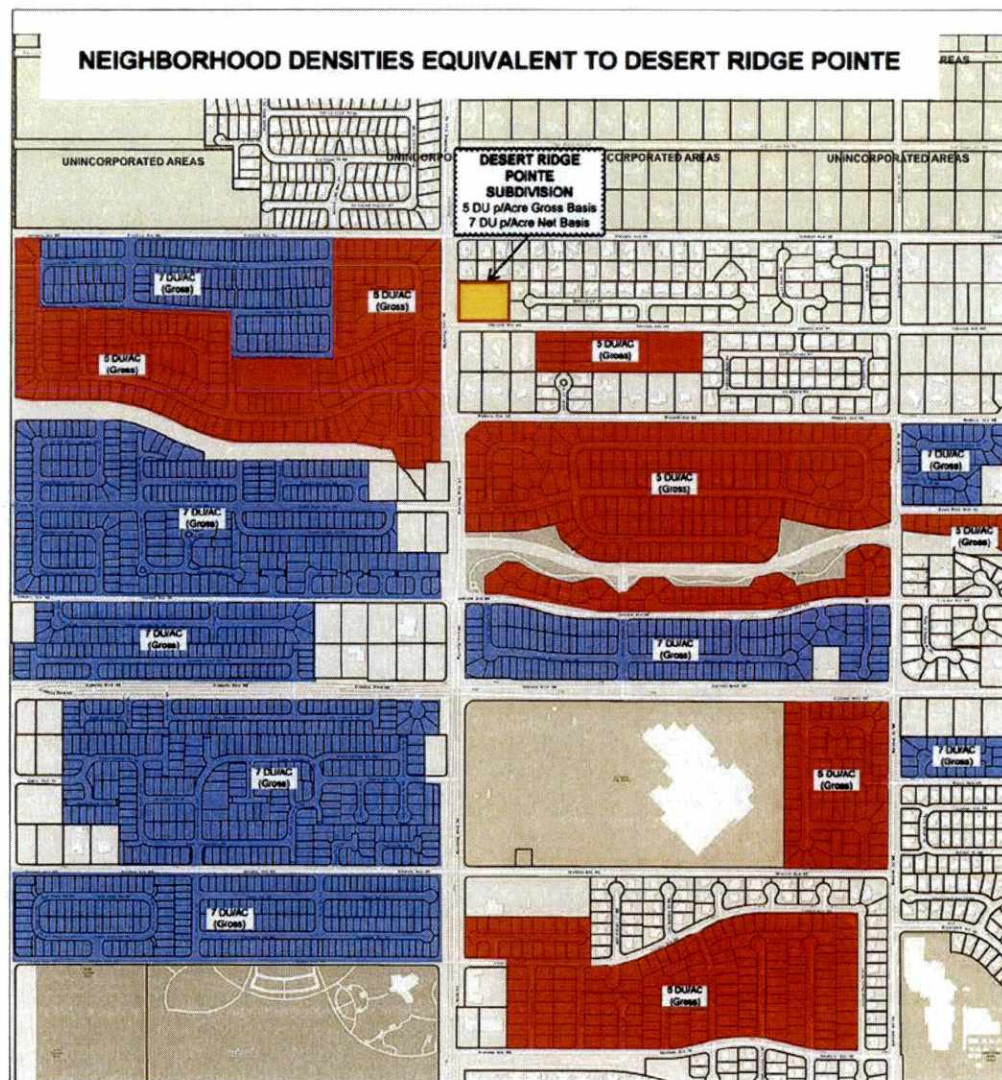
The current situation in the La Cueva Sector Development Plan Area is described below. These Conditions helped determine the zoning of certain properties:

**The City of Albuquerque annexed the plan area in 1995 and established R-D zoning for most of the plan area, which allows residential development as regulated in the R-1 zone.**

*The RD zone provides a variety of residential densities. When the plan was amended to recognize "net" densities, the resulting allowed densities were lowered. This request is for RD 7 DU/Acre (net), which is represented in a few nearby locations within the Sector Plan:*

- 1) one block south of the subject site at Modesto Avenue and Wyoming Boulevard,*
- 2) along Eagle Rock Avenue and Oakland Avenue, and*
- 3) just south east of the subject site, Glendale Estates, which is zoned RD 5 DU/Acre (gross), which equates to 7 DU/Acre (net).*

*The following exhibit illustrates the neighboring densities further justifying the higher proposed density.*



**The Plan area is intended to be urban, with a mix of residential densities and a variety of retail and service businesses to meet the needs of the area's growing population.**

*The existing RD 3 du/acre is not urban. The proposed zoning is more urban, but consistent with the mixed density character of the area.*

**The diverse ownership and platting of land is problematic for higher density land uses. Current Zoning and recent development decisions have eroded the ability of the City to require land Assembly by window as specified in the La Cueva Land Use Guide.**

*The property owner has assembled the existing vacant lots and proposes to develop them as a cohesive development with eight residential units.*

**The plan area is predominantly low-density, residential with a scattering of large, costly homes on one-acre lots.**

*There are a number of existing large lot homes surrounding the subject property. These homes are existing and were probably developed while in the county and as such do not have finished street frontages with curb and gutter or sidewalks. New development with City requirements at very low densities is inefficient and contrary to many city policies. The proposed zone change will facilitate a development which will provide finished frontages, an attractive streetscape, and a finished corner in the La Cueva community.*

**Existing development has begun to create an identity for the plan area based on architectural styles, quality of design and compatibility with the natural landscape. The community is looking to the plan to solidify this identity by requiring compatible new development.**

*The proposed development will not only be consistent with the design standards in the Sector Plan, but will implement the narrowing of Glendale as a traffic calming measure, and create a small residential compound consistent with surrounding neighborhoods.*

**The following principles were followed in developing zoning for the Sector Plan Area:**

**The predominant residential zone is RD, which allows single family and townhouse development, according to maximum density established by the plan. Lowest densities are in areas with the least land assembly potential.**

*The owner has assembled the lots necessary for the proposed development and intends to construct the required City infrastructure to serve the development. The proposed density is appropriate for the area.*

**New development should contribute to the identity of this part of Albuquerque reinforcing its relationship to the Sandia Mountains, Rio Grande Valley and the natural environment of the east mesa. A variety of design standards are prescribed to reinforce the community identity and to improve land use compatibility, street and neighborhood character, and overall community design.**

*The proposed density and development will follow the proposed and city mandated design standards while proposing additional standards, and will contribute to the high quality, high home value, and southwestern character of the La Cueva area.*



**LCSDP Goal:** "The purpose of the plan is to suggest solutions to barriers to sound urban development and to establish development standards that contribute to the sense of community in this developing area."

*The request is consistent with the intent of the Sector Plan, which was to overcome challenges to development in the North Albuquerque Acres area and to promote urban development.*

**1.3 Guiding Principles, 4<sup>th</sup> Bullet: "Land uses that are compatible with existing development."**

*The zone change request does not change the land use of the subject site. In fact, the land use is the same (single-family residential) in the existing RD-3 DU/Acre zone as the requested RD-7 DU/Acre zone.*

**Policy D** "The applicant must demonstrate that the existing zoning is inappropriate because:

1. There was an error when the existing zone map pattern was created; or
2. Changed neighborhood or community conditions justify the change; or
3. A different use categories more advantageous to the community, as articulated in the Comprehensive Plan or other city master plan, even though (D)(1) or (D)(2) above do not apply."

*The existing RD-3 DU/Acre zoning is inappropriate because it is not an urban density and the proposed RD-7 DU/Acre zone is more advantageous to the community, as articulated in elements of adopted city plans and policies, as listed above. The new zone will provide high quality infill development, utilize existing infrastructure, facilitate the construction of new infrastructure, and mitigate illegal dumping on vacant land. Benefits to the larger community generally associated with increased density are reducing green-field development, potentially reducing vehicle miles driven, and improving the utility of existing infrastructure and public investments.*

*Additionally, changed neighborhood conditions justify the zone change because the La Cueva area has experienced substantial growth from the time when the Sector Plan was originally adopted and subsequently amended, over nine years ago. Additional infrastructure development in the area has not only vacated the site as a drainage pond, but has allowed denser single-family development to take place as represented east of the subject site on Glendale Avenue where the Glendale Estates development is developed at a very similar density, 5DU/Acre (gross), which is equal to 7DU/Acre (net).*

**Policy E** "A change of zone shall not be approved where some of the permissive uses in the zone would be harmful to adjacent property, the neighborhood, or the community."

*The permissive uses in the proposed zone will not be harmful to adjacent property, the neighborhood, or the community. The permissive uses requested are the same as allowed with the current zoning.*



**Policy F** "A proposed zone change which, to be utilized through land development, requires major and programmed capital expenditures by the city may be:

1. Denied due to lack of capital funds; or
2. Granted with the implicit understanding that the city is not bound to provide the capital improvements on any special schedule."

*This zone change will not result in unprogrammed capital expenditures by the City.*

**Policy G** "The cost of land or other economic considerations pertaining to the Applicant shall not be the determining factor for a change of zone.

*The cost of the land is not the determining factor for the Application. There are multiple determining factors such as:*

1. *The owner/developer's desire to provide more housing types and home design options in the area, which contributes to a more diverse neighborhood and area character;*
2. *The site's current zone density's inability to provide such options; and*
3. *This specific site's location on an arterial road, which poses several site layout and access constraints.*

*Wyoming Boulevard and Glendale Avenue are undeveloped at this corner providing no sidewalk, landscaping, pedestrian amenities, or bicycle lane for residents creating a gap in the overall system on this vital corner connection to the La Cueva area. Because of the site's proximity to Wyoming Boulevard the owner/developer is required and willing to, not only develop these amenities and infrastructure, but is also required to dedicate additional right-of-way on site to develop Wyoming, which reduces the site's buildable area. In addition, providing access to this site is not feasible via Wyoming Boulevard and must be provided on Glendale Avenue. The site's width and depth dimensions accompanied by the required ingress and egress location on Glendale Avenue pose added negative impact on the site layout, making it more difficult to accommodate the proposed higher density.*

**Policy H** "Location on a major street is not, in itself, sufficient justification of apartments, office, or commercial zoning."

*The proposed zone is not for apartments, office, or commercial uses.*

**Policy I** "A zone change request which would give a zone different from surrounding zoning to one small area, especially when only one premise is involved, is generally called a "spot zone." Such a change of zone may be approved only when:

1. The change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan; or
2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures



already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.

*This Application does not constitute a spot zone. The zoning remains RD and the requested density is represented in the La Cueva Sector Plan and just east of the subject site on Glendale Avenue.*

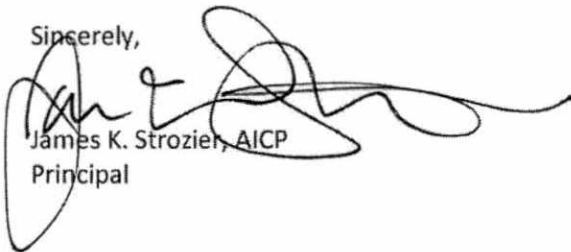
**Policy J** "A zone change request which would give a zone different from surrounding zoning to a strip of land along a street is generally called "strip zoning." Strip commercial zoning will be approved only where:

1. The change will clearly facilitate realization of the Comprehensive Plan and any adopted sector development plan or area development plan; and
2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones or because the site is not suitable for the uses allowed in any adjacent zone due to traffic or special adverse land uses nearby."

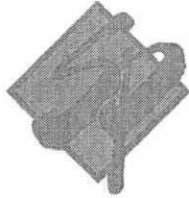
*The proposed zone is surrounded by residential development and is therefore does not create strip zoning.*

This request for a Sector Plan Zone Map amendment is supported by Comprehensive Plan policies and satisfies the requirements specified in Resolution 270-1980. Having taken the proper steps, we respectfully request a recommendation of approval of the application. Thank you for your consideration. Please contact me with any questions or concerns.

Sincerely,



James K. Strozier, AICP  
Principal



Scott Patrick Homes  
*Desert Ridge Pointe*

June 1, 2016

RE: Letter of Commitment

Dear Neighbors:

We would like to thank Desert Ridge Pointe neighbors and the surrounding neighborhood associations for sharing your time and concerns. It is our desire to not only continue to work with interested neighbors, but to build a high-quality, subdivision which fits the character of the La Cueva Sector Plan.

As many of you are aware, we are requesting approval from the City of Albuquerque Environmental Planning Commission (EPC) for a La Cueva Sector Plan zone map amendment. If approved, this amendment will allow RD-7 DU/Acre zoning and the construction of eight high-quality, custom homes on the 1.6 acre site legally described as Lots 31 and 32, Block 11, Tract 1, Unit 3, North Albuquerque Acres. This application will be followed by a request for preliminary plat approval from the Development Review Board (DRB) based on the attached 8-lot subdivision design.

We understand that many concerns relate to view preservation and privacy, as well as ensuring the neighborhood continues to grow with the addition of high-quality homes similar to the existing community. We are committed to help alleviate some of these issues, and we are willing to go on the record with our commitment, which is the purpose of this letter.

After listening to specific neighborhood concerns, we propose the following commitments:

- Desert Ridge Pointe shall be developed as a private, gated subdivision; provided that the DRB will approve it with a similar gated entry design as the nearby Glendale Estates subdivision.
- Desert Ridge Pointe shall be managed by a Homeowners Association.
- Strict building design standards will be prepared and recorded in Covenants, Conditions & Restrictions (CC&R's) and enforced by the Homeowners Association.
- Strict front yard landscaping standards and maintenance requirements shall be prepared, recorded in the CC&R's, and enforced by the Homeowners Association.
- The CC&R's shall specify that the square footage of all homes within the subdivision shall not be less than 2,000 square feet.

- Lots 4 and 5, as shown in the attached subdivision design (or their equivalent locations should the lot numbers change in the platting process), shall be restricted to single story homes.
- Lots 1, 2, 3, 6, 7 and 8 (or their equivalent locations) may have either single or two story homes.
- The CC&R's will require second story massing relief across the rear of all two story homes.
- If applicable, the second story on Lots 3 and 6 (or their equivalent locations) shall not exceed 50% of the total first floor building footprint. In addition, these lots shall be restricted to either no windows or clerestory windows only on the north, second story wall. Furthermore, north-facing decks, balconies, or doors shall not be allowed on the second story. In order to accommodate this restriction, a front yard setback variance will be needed (see below).
- If applicable, the second story on Lot 2 (or its equivalent location) shall have a minimum setback of 35 feet from the northern property line.
- All lots will have effective drainage to the front of each lot (subdivision interior).
- The City's Street Tree Ordinance requires Wyoming Boulevard street trees. We will request that the City allow us to keep the view corridor as open as possible, which may require tree clustering in certain areas.

Considering the above commitment, Scott Patrick Homes respectfully requests that neighbors and neighborhood associations agree to the following:

- Not voice any objection, nor encourage anyone else to object to the La Cueva Sector Plan zone map amendment or preliminary plat submittals based on the current 8-lot subdivision design.
- Not voice any objection, nor encourage anyone else to object to Scott Patrick Homes' commitment to uphold the above standards.
- Not voice any objection, nor encourage anyone else to object to any future setback variance requests.

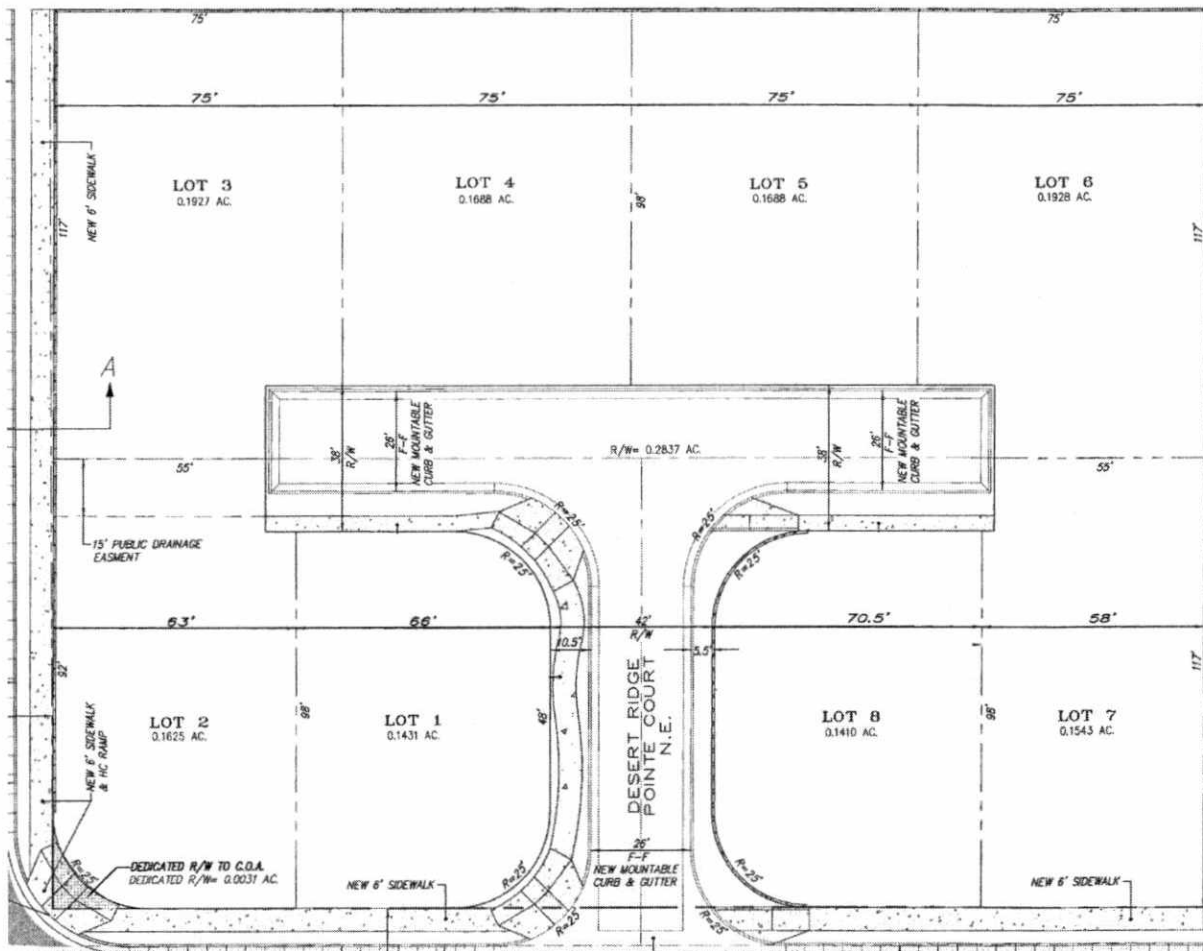
Please note that this commitment relates to the EPC and DRB approvals of the current 8-lot subdivision proposal. We appreciate everyone's consideration and we look forward to being a part of this great community.

Sincerely,

SCOTT PATRICK HOMES

\_\_\_\_\_  
Scott Schiabor, President

*(Final design may vary slightly)*



NOTIFICATION &  
NEIGHBORHOOD INFORMATION



CONSENSUS

Landscape Architecture  
Urban Design  
Planning Services

302 Eighth St. NW  
Albuquerque, NM 87102

(505) 764-9801  
Fax 842-5495  
[cp@consensusplanning.com](mailto:cp@consensusplanning.com)  
[www.consensusplanning.com](http://www.consensusplanning.com)

May 20, 2016

Charles Wong  
8104 Via Encantada NE  
Albuquerque, NM 87122

Larry Levy  
8201 Via Encantada NE  
Albuquerque, NM 87122

Typical

Re: Submittal of a La Cueva Sector Development Plan Zone Map Amendment


Dear Mr. Wong, Mr. Levy, and the Quivera Estates Home Owners Association:

The purpose of this letter is to inform you that Consensus Planning has amended our request for properties 7601 and 7621 Glendale Avenue on the corner of Glendale Avenue NE and Wyoming Boulevard. The amended request is for a zone map amendment on the 1.6 acres from RD-3DU/acre to RD-7DU/acre. This is an amended request based on testimony by City legal, planning staff, and the EPC regarding our original request. As a part of this amendment, we have withdrawn the request for a site development plan for subdivision.

The legal description for the property is described as Lots 31 and 32. Block 11, Tract 1, Unit 3, North Albuquerque Acres. The lots will be developed with similar neighborhood character to the adjacent and surrounding neighborhoods. The Sector Plan amendment is supported by applicable plans and policies.

The application will be heard at the Environmental Planning Commission hearing scheduled for June 9th at 8:30 a.m. in the basement of Plaza Del Sol building located at 600 2<sup>nd</sup> Street NW, 87102. Please feel free to contact me at 505-764-9801 or at [cp@consensusplanning.com](mailto:cp@consensusplanning.com) if you have questions, require any additional information, or would like to schedule a meeting.

Sincerely,



James K. Strozier, AICP  
Principal

Attachments: Zone Atlas page

#### PRINCIPALS

James K. Strozier, AICP  
Christopher J. Green, PLA.  
ASLA, LEED AP  
Jacqueline Fishman, AICP  
Laurie Firor, PLA, ASLA

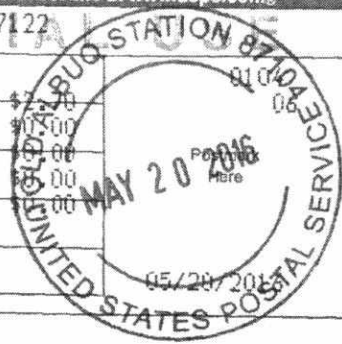
7011 3500 0000 005E T101

U.S. Postal Service™  
**CERTIFIED MAIL™ RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

ALBUQUERQUE, NM 87122

Postage \$3.30  
Certified Fee \$2.70  
Return Receipt Fee (Endorsement Required) \$0.00  
Restricted Delivery Fee (Endorsement Required) \$0.00  
Total Postage & Fees \$6.47



Sent To Larry Levy  
Street, Apt. No., or PO Box No. 8201 Via Encantada NE  
City, State, ZIP+4 Albuquerque NM 87122

PS Form 3800, August 2006 See Reverse for Instructions

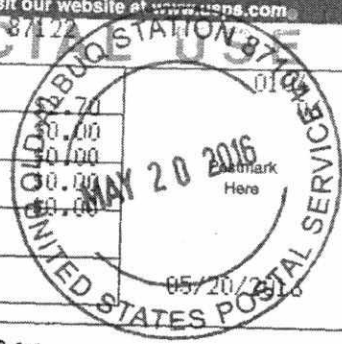
7011 3500 0000 005E T101

U.S. Postal Service™  
**CERTIFIED MAIL™ RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

ALBUQUERQUE, NM 87122

Postage \$3.30  
Certified Fee \$2.70  
Return Receipt Fee (Endorsement Required) \$0.00  
Restricted Delivery Fee (Endorsement Required) \$0.00  
Total Postage & Fees \$6.47



Sent To Charles Wong  
Street, Apt. No., or PO Box No. 8104 Via Encantada NE  
City, State, ZIP+4 Albuquerque NM 87122

PS Form 3800, August 2006 See Reverse for Instructions

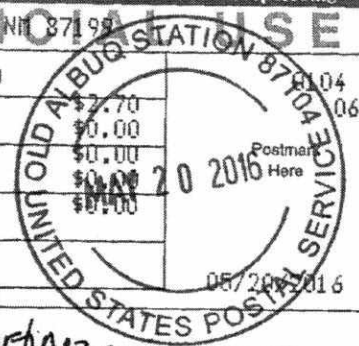
7011 3500 0000 005E T101

U.S. Postal Service™  
**CERTIFIED MAIL™ RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

ALBUQUERQUE, NM 87199

Postage \$3.30  
Certified Fee \$2.70  
Return Receipt Fee (Endorsement Required) \$0.00  
Restricted Delivery Fee (Endorsement Required) \$0.00  
Total Postage & Fees \$6.47



Sent To Gina Martinez  
Street, Apt. No., or PO Box No. PO Box 94115  
City, State, ZIP+4 Albuquerque NM 87199

PS Form 3800, August 2006 See Reverse for Instructions

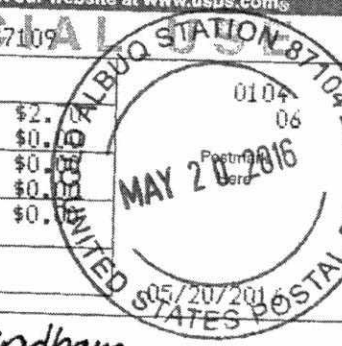
7012 1640 0001 8697 5960

U.S. Postal Service™  
**CERTIFIED MAIL™ RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

ALBUQUERQUE, NM 87109

Postage \$3.30  
Certified Fee \$2.70  
Return Receipt Fee (Endorsement Required) \$0.00  
Restricted Delivery Fee (Endorsement Required) \$0.00  
Total Postage & Fees \$6.47



Sent To Michael Proddham  
Street, Apt. No., or PO Box No. 6413 Northland Ave NE  
City, State, ZIP+4 Albuquerque NM 87109

PS Form 3800, August 2006 See Reverse for Instructions

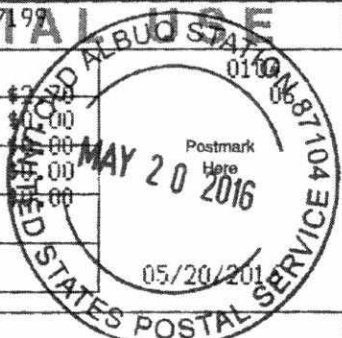
7011 3500 0000 005E T101

U.S. Postal Service™  
**CERTIFIED MAIL™ RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

ALBUQUERQUE, NM 87199

Postage \$3.30  
Certified Fee \$2.70  
Return Receipt Fee (Endorsement Required) \$0.00  
Restricted Delivery Fee (Endorsement Required) \$0.00  
Total Postage & Fees \$6.47



Sent To Bob Smith  
Street, Apt. No., or PO Box No. PO Box 94115  
City, State, ZIP+4 Albuquerque NM 87199

PS Form 3800, August 2006 See Reverse for Instructions

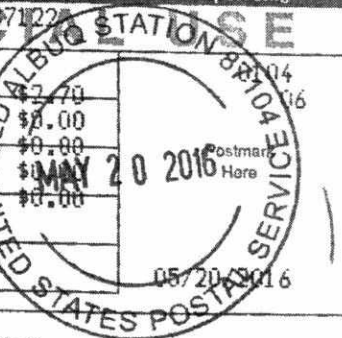
7012 1640 0001 8697 5960

U.S. Postal Service™  
**CERTIFIED MAIL™ RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

ALBUQUERQUE, NM 87122

Postage \$3.30  
Certified Fee \$2.70  
Return Receipt Fee (Endorsement Required) \$0.00  
Restricted Delivery Fee (Endorsement Required) \$0.00  
Total Postage & Fees \$6.47



Sent To Tony Huffman  
Street, Apt. No., or PO Box No. 9712 Sand Verbona Trl NE  
City, State, ZIP+4 Albuquerque NM 87122

PS Form 3800, August 2006 See Reverse for Instructions

Albuquerque Publishing Company  
 7777 Jefferson N.E. Albuquerque, New Mexico 87109  
 P.O. Drawer J-T Albuquerque, New Mexico 87103  
 (505) 823-7777



#### AMENDED NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Albuquerque Environmental Planning Commission will hold a Public Hearing on Thursday, June 9th, 2016 at 8:30 a.m., in the Plaza del Sol Hearing Room, Lower Level, Plaza del Sol building, 600 2nd St. NW, Albuquerque, NM to consider the following items:

Distribution of the Planning Department's staff reports regarding the following items will occur at a Case Distribution Session on Thursday, June 2, 2016 at 3:00 p.m., in the Plaza del Sol Hearing Room, Lower Level, Plaza del Sol Building, 600 2nd St. NW, Albuquerque, NM.

Project# 1010809  
 16EPC-40020 Sector  
 Development Plan Map  
 Amendment (Zone Change)

Consensus Planning, agent for Albuquerque Development, LLC, requests the above actions for all or a portion of Lots 31 and 32, Block 11, Tract 1, North Albuquerque Acres, Unit 3, zoned RD-3 DU/ACRE to RD-7 DU/7ACRE located on Glendale Ave. NE at Wyoming Blvd. NE, containing approximately 1.6 acres. (B-19)  
 Staff Planner: Maggie Gould

Details of these applications may be examined at the Planning Department, 3rd Level, Plaza Del Sol Building, 600 Second Street NW, between 8:00 a.m. and 5:00 p.m., Monday through Friday, or you may call 924-3860. INDIVIDUALS WITH DISABILITIES who need special assistance to participate at the public hearing should call 924-3860.

Karen Hudson, Chair  
 Environmental Planning  
 Commission  
 Journal: May 21, 2016

## Ad Proof / Order Confirmation

Account Number

1007583

Ad Order Number

0001289190

CITY OF ALB-PLANNING DEPT

**CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
PROPERTY OWNERSHIP LIST**

**Meeting Date:** May 12, 2016

**#1010809**

**Zone Atlas Page:** B-19-Z

**Notification Radius:** Neighborhood Associations  
**100ft plus r.o.w**

**Cross Reference and Location:** Glendale Avenue NE at Wyoming Blvd NE

**Applicant:** Albuquerque Development, LLC  
8300 Carmel Avenue NE  
Albuquerque, NM 87122

**Agent:** Consensus Planning  
302 8<sup>th</sup> Street NW  
Albuquerque, NM 87122

**Special Instructions:**

**Notice must be mailed from the  
City's 15 day's prior to the meeting.**

**Date Mailed:** 5-18-16 *Amended Legal Ac*  
**Signature:** *Dacal*

EPC Case #1010809

Owner

THOMPSON DANIEL RAY & KATHLEEN ELIZABETH TRUSTEES THOMPSON FAMILY TRUST  
STEPHENS O B & JOYCE M  
HOMEOWNERS ASSOC OF MOUNTAIN TRAIL SUBD  
DO LINH H & VU TUYET T  
BALDWIN EVAN & ASHLEY  
VALDEZ JOHN PAUL & HOSS CARMEN  
TILTON FREDERICK E  
ZAKI HASHIM & ZARGHUNA  
MCELROY RANDALL F JR & EVANGELINA M  
HART JAMES K & LINDA C  
FRANKLIN ROBERT D & PATRICIA A  
CUNNINGHAM DALE J TRUSTEE CUNNINGHAM TRUST  
JUAREZ CARLO G & LESLIE J  
REHBEIN JAMES R & CAROL E  
SALAS DONALD M & MARIA LISA  
TIPIRNENI AJIT & ITIKALA PADMAJA R  
OSWALD JEREMY P & ELIZABETH A  
GONZALES VERONICA L & ROBERT C  
ROMERO JIMMY L & KARLA K  
LLOYD LAWRENCE N & ANNETTE T  
CANDIR OGUZ CEM & MELIS  
TORBETT RONALD CHARLES & TORBETT AMANDA FRIDAY CO-TR TORBETT FT  
CLAGHORN CHESTER G & TINA H TRUSTEES CLAGHORN LVT  
DORN DIANNE M  
SCOTT RUTH R  
BUSBEY DANIEL K  
HUCKE DOUGLAS & DEBORAH  
SUPERIOR LAND INVESTMENTS LLC  
James Strozier  
Scott Schiabor  
Bob Smith, President  
Gina Martinez  
Charles Wong, President  
Larry Levy  
Michael Pridham, President  
Tony Huffman

Owner Address/BUSINESS

14 ANNE PICKARD CT  
225 NORTH LEGGETT DR  
6323 GHOST FLOWER TRL NE  
7 DEER MEADOW CT  
7600 FLORENCE AVE NE  
7604 FLORENCE AVE NE  
7608 FLORENCE AVE NE  
7611 MODESTO AVE NE  
7612 FLORENCE AVE NE  
7616 FLORENCE AVE NE  
7619 MODESTO AVE NE  
7620 FLORENCE AVE NE  
7624 FLORENCE NE  
7628 FLORENCE AVE NE  
7700 FLORENCE AVE NE  
7700 MERISSA LN NE  
7701 MERISSA LN NE  
7704 FLORENCE AVE NE  
7704 MERISSA LN NE  
7705 MERISSA LN NE  
9123 TWILIGHT LN NE  
9128 AUTUMN ROSE DR NE  
9132 AUTUMN ROSE DR NE  
9200 AUTUMN ROSE DR NE  
9204 AUTUMN ROSE DR NE  
9212 AUTUMN ROSE DR NE  
9216 AUTUMN ROSE DR NE  
PO BOX 91417  
Consensus Planning  
Albuquerque Development, LLC  
Nor Este Neighborhood Association  
Nor Este Neighborhood Association  
Quivera Estates Homeowners Association  
Quivera Estates Homeowners Association  
District 4 Coalition of Neighborhood Associations  
District 4 Coalition of Neighborhood Associations

Owner Address 2

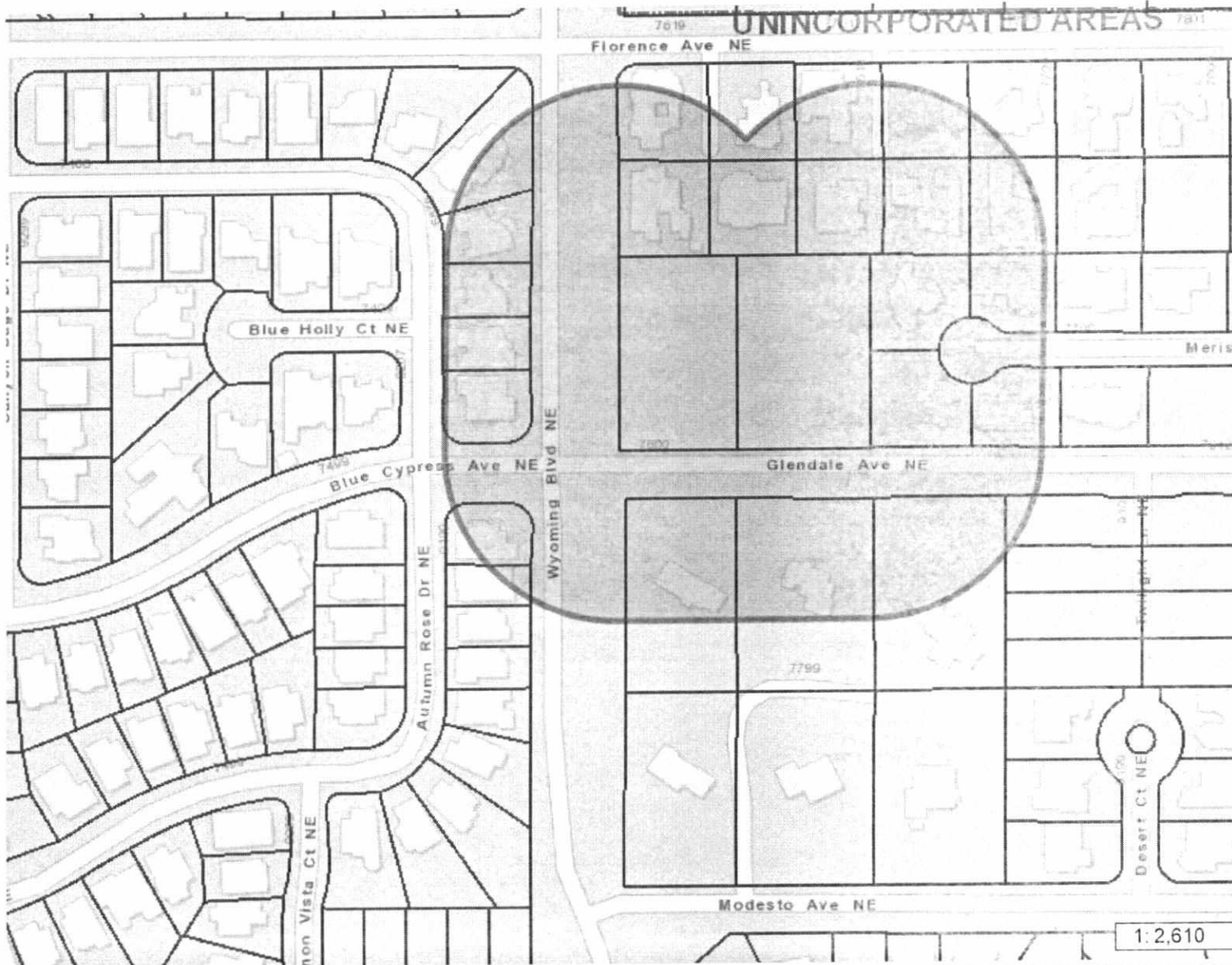
TIJERAS NM 87059  
ABILENE TX 79603  
ALBUQUERQUE NM 87111  
TIJERAS NM 87059  
ALBUQUERQUE NM 87122  
ALBUQUERQUE NM 87122  
ALBUQUERQUE NM 87122  
ALBUQUERQUE NM 87122  
ALBUQUERQUE NM 87122  
ALBUQUERQUE NM 87122  
ALBUQUERQUE NM 87122-3600  
ALBUQUERQUE NM 87122  
ALBUQUERQUE NM 87122  
ALBUQUERQUE NM 87122  
ALBUQUERQUE NM 87122  
ALBUQUERQUE NM 87122  
ALBUQUERQUE NM 87122  
ALBUQUERQUE NM 87122  
ALBUQUERQUE NM 87122  
ALBUQUERQUE NM 87113  
ALBUQUERQUE NM 87113-2028  
ALBUQUERQUE NM 87113  
ALBUQUERQUE NM 87113  
ALBUQUERQUE NM 87113  
ALBUQUERQUE NM 87113-2039  
ALBUQUERQUE NM 87199  
302 8th Street NW  
8300 Carmel Ave NE  
PO BOX 94115  
PO BOX 94115  
8104 Via Encantada NE  
8201 Via Encantada NE  
6413 Northland Ave. NE  
9712 Sand Verbena Trl. NE

Last

Albuquerque, NM 87102  
Albuquerque, NM 87122  
Albuquerque, NM 87199-0066  
Albuquerque, NM 87199-0066  
Albuquerque, NM 87122  
Albuquerque, NM 87122  
Albuquerque, NM 87109  
Albuquerque, NM 87122



## Wyoming Blvd NE & Glendale Ave NE



### Legend

- ☐ Bernalillo County Parcels
- Municipal Limits**
  - Corrales
  - Edgewood
  - Los Ranchos
  - Rio Rancho
  - Tijeras
  - UNINCORPORATED
- World Street Map

### Notes

Project#1010809 208ft.

0.1 0 0.03 0.1 Miles

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
4/5/2016 © City of Albuquerque

This map is a user generated static output from [www.cabq.gov/gis](http://www.cabq.gov/gis) and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR LEGAL PURPOSES

1:2,610

# **CITY OF ALBUQUERQUE**

## **LAND USE FACILITATION PROGRAM**

### **PROJECT MEETING REPORT**

**Project #:** 1010809  
**Property Description/Address:** All or a portion of Lots 31 and 32, Block 11, Tract 1, North Albuquerque Acres, Unit 3, located on Glendale Avenue NE at Wyoming Boulevard NE, containing approximately 1.61 acres

**Date Submitted:** May 27, 2016  
**Submitted By:** Jessie Lawrence

**Meeting Date/Time:** May 25, 2016  
6:30 PM

**Meeting Location:** North Domingo Baca Multigenerational Center  
**Facilitator:** Jessie Lawrence  
**Co-facilitator:** Diane Grover

**Parties (individual names and affiliations are listed at the end of the report):**

- **Applicant:**
  - o Albuquerque Development, LLC
- **Agent:**
  - o Consensus Planning, Inc.
- **Affected Neighborhood Associations:**
  - o Nor Este NA
  - o Quivera Estates HOA
  - o District 4 Coalition of NAs

**Background/Meeting Summary:**

Applicant requests approval of a proposed amendment to the City of Albuquerque La Cueva Sector Development Plan from RD-3 DU/Acre to RD-7 DU/Acre for all or a portion of Lots 31 and 32, Block 11, Tract 1, North Albuquerque Acres, Unit 3, located on Glendale Avenue NE at Wyoming Boulevard NE, containing approximately 1.61 acres. Applicant plans to develop the property with eight residential lots.

While there were few areas of agreement noted at the meeting, participants had a constructive conversation and discussed what the applicant might do to soften some of the existing concerns. Some meeting participants stated that the proposed density is too high for the neighborhood and expressed opposition to any development at this density. Others expressed concerns related to the density, including the blockage of existing views, privacy, traffic, and drainage. Applicant suggested that some of these concerns might be addressed through written covenants covering the location of the one-story and two-story homes on the site, landscaping, street design/gating, and drainage. Some concerns may also be addressed through design guidelines limiting the footprint of the second story in relation to the first story and architectural guidelines to support the privacy of neighboring homes. Applicant agreed to take the feedback from this meeting and try to address the concerns.

# **CITY OF ALBUQUERQUE**

## **LAND USE FACILITATION PROGRAM**

### **PROJECT MEETING REPORT**

Meeting participants also discussed concerns about setting a precedent of higher density development in the neighborhood, noting that other developers might obtain higher-density zoning without thorough site plan development or consideration of community concerns. Several meeting participants expressed a preference for SU-1 zoning because of the opportunities for site plan review and restrictions on the development.

#### **Outcome:**

- *Areas of Agreement*
  - o None noted at the meeting; however, Applicant agreed to take community feedback and work to develop solutions, including written covenants, that will address concerns.
- *Unresolved Issues & Concerns*
  - o Some meeting participants stated that the density is too high for the neighborhood and expressed opposition to any development at this density. Others expressed a related concern that this project could set a precedent for higher density development.
  - o Concerns about two-story homes include the blockage of neighbors' views, particularly those to the west, and the privacy of immediate neighbors, particularly those adjacent to the property to the north.
  - o Other concerns mentioned included a desire to gate the street, concerns about the location of street trees blocking mountain views, and runoff from roofs.
- *Other Key Points*
  - o Several meeting participants expressed a preference for SU-1 zoning over the RD-7 zoning because of the opportunities for site plan review and restrictions on the development. A related concern was that the RD-7 zoning approval with no restrictions could allow someone else to build on the site in the future without any consideration of neighbors' concerns.
  - o Meeting participants discussed the need to address traffic safety concerns at the Wyoming/Glendale intersection. Nor Este NA representatives said that they would attempt to work with the City on this issue, and Agent offered to assist.

#### **Meeting Specifics:**

- 1) Overview of Request
  - a) Jim Strozier, Agent, stated that the request is to change the zoning to allow for the development of 8 single-family homes on the site.
    - i) At the May EPC meeting, the City legal department encouraged the use of the RD-7 DU/Acre zone rather than an SU-1 zone, which would include a site development plan.
    - ii) Agent stated that they were willing to talk about the site plan, but the site plan would not be part of the EPC 's decision.
    - iii) Because all meeting participants were familiar with the property and the request, the overview was brief.
- 2) Two-Story Homes Questions and Comments
  - a) Several meeting participants expressed opposition to two-story development because of effects on neighbors' views.

# **CITY OF ALBUQUERQUE**

## **LAND USE FACILITATION PROGRAM**

### **PROJECT MEETING REPORT**

- i) A meeting participant stated that the neighborhood to the west of the site is opposed to two-story buildings, which would hurt views of the mountains.
  - ii) Agent stated that they are considering design options to address this.
  - iii) Agent stated that they would like to appeal to the market of buyers who want either one-story or two-story homes, but they don't expect every house to be two stories.
  - iv) Meeting participants asked whether the applicant could limit the locations of two-story homes to certain lots on the site.
    - (1) Applicant, Scott Schiabor, stated that this might be able to be done, and they might be able to commit to single-level homes in certain locations to honor existing views.
    - (2) A meeting participant expressed a concern about where two-story homes might be located where no one would object.
  - v) Applicant stated that there is a view corridor running east-west through the development, and this could be helpful for some of the neighboring properties.
  - b) Agent stated that the applicant team is aware of concerns from neighbors to the north about views and privacy.
    - i) A meeting participant stated that he is a neighbor directly to the north and expressed a concern about residents looking from a second story directly into his living room or bedroom.
    - ii) Agent stated that architectural solutions could include massing limitations, limitations on window location and type, or limits on patios/balconies.
  - c) A meeting participant asked about a statement by the agent at the EPC hearing that the second story footprint could be limited to 50 percent of the first floor footprint.
    - i) Agent stated that this could be a possibility.
- 3) Project Density Questions and Comments
- a) A meeting participant expressed a concern that 7 DU/acre is much higher than the current zoning, and asked if the applicant would be amenable to 5 or 6 DU/acre.
    - i) Agent stated that 7 DU/acre is necessary to allow them to build 8 lots with a public street, and said that the density would be similar to Desert Ridge or Glendale Estates.
  - b) A meeting participant expressed a concern that allowing higher density here would set a precedent for higher density on future properties.
  - c) A meeting participant asked if a new request for a zone change to RD-7 DU/Acre would require a site plan, and expressed a concern that future projects could request higher density without any site plan.
    - i) Agent explained the process for making a case to justify a zone change.
  - d) A meeting participant stated that the surrounding neighborhoods are all lower density.
    - i) Agent stated that the difference in stated density is partly due to a change in how the City calculates density, and what used to be 3-5 DU/Acre is now 5-7 DU/Acre.
    - ii) A meeting participant noted that he lives on a .25-acre lot, and these lots would be much smaller.
  - e) A meeting participant neighboring the property to the north expressed the concern that the three properties to the north would now have four new neighbors.
- 4) Zoning Change Questions and Comments
- a) A meeting participant expressed a concern that a zone change to RD-7 DU/Acre could allow someone else to come in and build, and things said by the applicant wouldn't be enforceable.

# **CITY OF ALBUQUERQUE**

## **LAND USE FACILITATION PROGRAM**

### **PROJECT MEETING REPORT**

- i) Applicant stated that he would be willing to agree to written covenants with restrictions that would run with the land.
  - ii) Agent noted that these would be private covenants.
  - iii) Agent stated that the project would include an HOA, which could help enforce written covenants.
  - iv) Agent stated that covenants could cover landscaping.
  - b) Meeting participants discussed the SU-1 zone and expressed a desire for the more extensive site plan information.
    - i) A meeting participant stated that the SU-1 zone was a good vehicle because restrictions could be established.
    - ii) A meeting participant stated that it feels like a bait-and-switch to go from SU-1 to RD-7, which can't have any additional restrictions.
      - (1) There was some disagreement about the history of the application and whether it began as SU-1.
      - (2) Meeting participants noted that the push not to use the SU-1 zone was from the City, not the applicant, and discussed the reasons for that push.
    - iii) A meeting participant asked if the site plan would still be used with RD-7 approval.
      - (1) Agent stated that it would not be required in the same capacity, but there would be a similar drawing.
- 5) Traffic Questions and Concerns
- a) Meeting participants discussed concerns about the safety of the Wyoming/Glendale intersection.
    - i) Meeting participants stated that people do not stop at the stop signs, which are set far back.
    - ii) Meeting participants compared the intersection to Wyoming/Florence, which also has safety issues.
    - iii) A representative of the Nor Este NA stated that the association would be willing to work with the City to resolve the issues.
      - (1) Agent offered to help with this as well.
  - b) A meeting participant asked if the project could have an entrance on Wyoming.
    - i) Applicant stated that the City would not allow this, because Wyoming is a principal arterial.
- 6) Other Questions and Concerns
- a) A meeting participant noted that the neighbors want a good local builder who wants to build high-quality homes to be successful.
  - b) A meeting participant asked if the development could be gated, and stated that many neighbors would like it gated.
    - i) Applicant said that it could be gated, noting that a gate would increase HOA dues.
  - c) A meeting participant asked if they could refrain from planting street trees, because street trees restrict the view.
    - i) Agent stated that the applicant is limited by the street tree ordinance, but they might be able to consider the type of tree selected or the locations of the trees to avoid the view corridor.
  - d) A meeting participant asked if water runoff is an issue.

# **CITY OF ALBUQUERQUE**

## **LAND USE FACILITATION PROGRAM**

### **PROJECT MEETING REPORT**

- i) Agent stated that they are redesigning the drainage using the hammerhead road design, and by internalizing the drainage, they will be able to keep the grade nearly constant along Glendale.
- ii) A meeting participant asked that covenants include a requirement that roof runoff be directed to the center drainage and out to the streets, not behind the houses.
- e) A meeting participant asked about the hills that currently exist along Glendale.
  - i) Agent stated that the grading plan will reflect grading near to the Glendale street level. High berms will come down, and the pond will be filled in.

#### **EPC Application Hearing Details:**

1. The Environmental Planning Commission (EPC) is an appointed, 9-member, volunteer citizen board with authority on many land use and planning issues. The EPC was formed in 1972 per City of Albuquerque Ordinance #294-1972. Members:
  - Karen Hudson, Chair, Council District 8
  - Derek Bohannon, Vice Chair, Council District 5
  - Dan Serrano, Council District 1
  - Moises Gonzalez, Council District 2
  - Victor Beserra, Council District 3
  - Peter Nicholls, Council District 4
  - Maia Mullen, Council District 6
  - James Peck, Council District 7
  - Bill McCoy III, Council District 9
2. Hearing Time:
  - i. The hearing is scheduled for June 9, 2016.
  - ii. The Commission will begin hearing applications at 8:30 a.m.
  - iii. The actual time this application will be heard by the Commission will depend on the applicant's position on the Commission's schedule.
  - iv. The agenda is posted on <http://www.cabq.gov/planning/boards-and-commissions/environmental-planning-commission> on the Friday immediately prior to the EPC Hearing.
3. Hearing Process:
  - i. Comments from facilitated meetings will go into a report which goes to the City Planner.
  - ii. City Planner includes facilitator report in recommendations.
  - iii. The Commission will make a decision and parties have 15 days to appeal the decision.
4. Resident Participation at Hearing:
  - a. Comments may be sent to:

Maggie Gould, Staff Planner  
600 2<sup>nd</sup> Street NW, Third Floor  
Albuquerque, NM 87102  
[mgould@cabq.gov](mailto:mgould@cabq.gov)  
(505) 924-910

OR

# **CITY OF ALBUQUERQUE**

## **LAND USE FACILITATION PROGRAM**

### **PROJECT MEETING REPORT**

Karen Hudson, Chair, EPC  
Derek Bohannon, Vice Chair, EPC  
c/o Planning Department  
600 2<sup>nd</sup> St, NW, Third Floor  
Albuquerque, NM 87102

#### **Names & Affiliations of Attendees:**

Kathie Thompson	HOA
Ron Hall	Glendale Estates
Karen Hall	Glendale Estates
Don Mayhew	DRT HOA
Dale Cunningham	Adjacent Lot
John Lowe	Panorama
Bob Franklin	NENA
Ajit Tipirneni	Adjacent Lot
Padmata ____	Adjacent Lot
Peter Shoberg	Adjacent Lot Rep
JoAnn Milam	Att Trail HOA
Nedra Farley	Att Trail HOA
Fred Tilton	Northside Homeowner
Jim Griffie	NENA
Mildred Griffie	NENA
Carl Mason	Glendale Est.
Jill Mason	Glendale Est.
Debbie Saunders	Florence
Scott Schiabor	Scott Patrick Homes
Jeff Hawkins	MTHOA
Bob Smith	NENA
Trace Salley	Scott Patrick Homes
Jim Strozier	Consensus Planning
Jaime Jaramillo	Consensus Planning

Gould, Maggie S.

---

**From:** Carl and Jill Mason <cmason13225@msn.com>  
**Sent:** Wednesday, May 11, 2016 1:09 PM  
**To:** Gould, Maggie S.  
**Cc:** Carl and Jill Mason  
**Subject:** Desert Ridge Pointe Subdivision-NE Corner of Wyoming and Glendale

Ms. Gould:

I am one of the Board of Directors for the Glendale Estates HOA which is across the street from Scott Patrick Homes' proposed Desert Ridge Pointe. Some of the residents of Glendale Estates and other neighborhoods attended the neighborhood meeting last night regarding this proposed project. There are numerous residents, not only from Glendale Estate but, also from Mountain Trail, and the homes that are on Florence that back up to the lot Scott Patrick Homes wishes to develop.

We know from the meeting last night that there are many residents who will be at the Planning Commission meeting tomorrow that are very much against this project and will certainly be protesting the project.

The current zoning allows for 4 houses to be built on this 1.6 acre lot. Scott Patrick Homes is asking to change the zoning from 4 houses to 8 houses so, he is asking to double the number of homes on the 1.6 acre lot. It is our opinion, and that of most of the people at the meeting last night, that 8 houses on this 1.6 acre lot is too high density and will not conform to the neighborhood.

The project includes a hammerhead entry way which is similar to some of the lower end home builders developments on the west side of Wyoming. We are concerned that the hammerhead entry is way too small to accommodate 8 houses; that garbage trucks will not be able to go into the area to pick up trash and that on trash days we will have up to 16 trash cans out on Glendale--also what about emergency vehicles. We are also concerned that the hammerhead entry will leave no place to park for visitors within the confines of the development and visitors will end up parking out on Glendale which will be very dangerous so close to the corner.

It was also brought to our attention that Scott Patrick Homes may not even build a home in the development. Scott Schiabor will just be the developer and will sell the lots to whomever which concerns all of us that we may have some lower priced cookie cutter homes built in this area which certainly would not conform to this custom built homes area. We want the Scott Patrick Homes project to conform to the beauty of not only Glendale Estates but all of the other development in this area.

We are also concerned that the project will not be a gated area which is the norm for the developments in this area, although we were told it will have an HOA.

I just wanted to notify you that there will be quite a few residents from this area at the

meeting who will be protesting some of these items and well as other items.

If you have any questions, please contact me.

JILL MASON

Carl & Jill Mason  
9120 Twilight Lane, NE  
Albuquerque, NM 87122  
(505) 299-7876  
[cmason13225@msn.com](mailto:cmason13225@msn.com)

Gould, Maggie S.

---

**From:** Ronald C. Hall <ronaldchall@comcast.net>  
**Sent:** Wednesday, May 11, 2016 2:41 PM  
**To:** Gould, Maggie S.  
**Subject:** Desert Ridge Point Proposal

Dear Ms. Gould

We are writing to you to express our outrage at the proposed doubling of the allowable density in this zoning change request. We even learned last night during the neighborhood meeting at the North Domingo Baca Multigenerational Center, that Scott Patrick doesn't even intend to build these homes as a consistent development. Instead, he said he wants to sell the lots at \$150,000 to anyone wanting to build any kind of home. We are strongly opposed to this proposal and believe it is an egregious violation of both the letter and intent of zoning restrictions in place when existing residents moved in to this neighborhood. Furthermore, this proposal is being sold as similar to our Glendale Estates development. Nothing could be further from the truth. Glendale estates is a community of consistent, custom homes that are single-story and in line with the character of the neighborhood. Please do not let this proposal move forward.

Sincerely,

Ron and Karen Hall  
9119 Twilight Lane

**Gould, Maggie S.**

---

**From:** Ajit Tipirneni <atipi@hotmail.com>  
**Sent:** Wednesday, May 11, 2016 3:02 PM  
**To:** Gould, Maggie S.  
**Subject:** URGENT: May 12 meeting re: Desert Ridge Pointe on Wyoming/Glendale

Dear Maggie,

We are residents of Mountain Trail subdivision, adjacent to the proposed zoning change by Scott Patrick Homes. We attended a community meeting last evening about this matter. Several good points were raised at the meeting, which are listed below. To this regard, we do not support the project as is currently proposed at this time.

Thank you for your consideration,

1. Ajit Tipirneni  
2. Padmaja Itikala  
7700 Merissa Ln NE

- 8 houses is too congested for the area based on the proposed plan and without a gate or private street and considering the proposed demographic. This development as proposed would diminish the aesthetics, safety, and neighborly community of Glendale Ave.
- Any 2-story homes will compromise views and privacy.
- The plot plan may not accommodate city trash trucks and the residents of the new houses would therefore have to put their trash cans out on Glendale.
- History of drainage problems and need to consider the soil as well as hydrology to assure old problems don't recur and new ones aren't created.
- The process for neighborhood input to this point has not been transparent or consistent; the staff report (available online) addresses only the ABQ/Bernco Comprehensive Plan and not the La Cueva subsection plan.

Gould, Maggie S.

---

**From:** dtjeep@aol.com  
**Sent:** Wednesday, May 11, 2016 2:27 PM  
**To:** Gould, Maggie S.  
**Subject:** Desert Ridge Point proposed development

Dear Maggie,

Although I plan to be present at the city planning meeting tomorrow, I want to put in writing that my husband and I are opposed to granting Scott Schiabor an adjustment above the current 3 D/U per acre zoning code for the lot at Wyoming and Glendale NE.

Scott Schiabor misled us to believe that he was requesting the zone change in order to build an exclusive enclave of "Scott Patrick Homes", similar to Randy Schmille's Glendale Estates. According to last night's meeting, however, he intends to develop 8 building lots with no current plan to build even one "Scott Patrick" home in the development. Additionally, he inferred that once he develops the 8 lots, he cannot control the minimum square footage or restrict building height to single story homes only. We believe he could impose covenants that would cover those issues. We are concerned also that the street layout he is proposing with the tight density of homes does not allow room for garbage trucks, necessitating the need for refuse containers to be set out on Glendale for weekly pickup. In closing, Scott Schiabor's current proposal does not seem to be compatible with the existing aesthetics and dwelling density of the subdivisions along Glendale NE.

Thank you for your time,  
Kathleen and Dan Thompson

**From:** Dale Cunningham <djcunnin@lightspeed.net>  
**Sent:** Sunday, May 15, 2016 7:46 PM  
**To:** Gould, Maggie S.  
**Subject:** Comments on EPC Meeting Held 12 May 2016 for File 1010809 (16EPC-40019/40020)

May 15, 2016

To: Environment Planning Committee (EPC)

Comment on meeting held 12 May 2016 for File 1010809, 16EPC-40019/40020

The meeting, as I understand, is not about negotiation with the developer. The rules of the Committee include wording to the effect that they shall not give advice on how it might rule. The hearing is supposed to be a review of facts on the case before the Committee and not to entertain new proposals. For anyone to propose a change as going to 7du/acre in the meeting violates this. This meeting was about going from 3 du/acre to 5 du/acre then the 8 du / development was proposed (although I suspect this change is not in compliance according to all the rules). The size of the development is actually in two lots totaling 1.6 acres +/- . Going as proposed would triple the numbers of houses as at the 3 du/acre there are only 4 lots available.

The original application was for the change from 3 du/acre to 5 du/acre. I see no documentation that there was a new application when the developer wanted to go to 8 du/project. This should have been done and the process re-started with all the affected documentation updated.

It is not up to the EPC to make this economically feasible, in fact this should not even be part of the discussion or brought up in the hearing. This is up to the developer and is prohibited as part of the evaluation in all the documentation pertaining for the La Cueva Sector Plan and the Albuquerque/Bernalillo Comprehensive Plan. In this case the developer as pre-invested money since at least 2000 through various corporations. If he cannot make money then that is a bad business decision on his part and he needs to walk away.

The developer knew the conditions associated with the ROW for Wyoming and he cannot use this as an excuse for smaller lots as this ROW was in place in all development plans.

The plat of the property shows a silt fence edge on the east property. This is likely about an eight foot soil ledge as shown on the plans. Even under OSHA standards this will require a fence that will further take away from the lot sizes. A soil ledge will erode, eventually undermining the fence on the east. Any landowner adjacent to this on the west will have continuous sloughing of soil after rain and snow.

Traffic impact should be based on existing conditions and not on future road infrastructure changes.

I will have other comments based on the existing application (unless this gets re-submitted), the compliance with La Cueva Sector Development Plan and Albuquerque Bernalillo Comprehensive Plan.

Regards,

Dale Cunningham

**Gould, Maggie S.**

---

**From:** Roderick Farley <rodnedrafarley@aol.com>  
**Sent:** Wednesday, June 01, 2016 9:00 AM  
**To:** Gould, Maggie S.  
**Cc:** JomLam@aol.com; Jeff@hawkinsgrp.com  
**Subject:** Wyoming & Glendale Project # 1010809

Dear Ms. Gould,

I am writing on behalf of the Mountain Trail Homeowners Association (MTHOA) to indicate our support for the zoning change request for Project 1010809 at the corner of Wyoming and Glendale.

Specifically, the MTHOA position is:

MTHOA supports the zoning change to RD-7, on the condition that there be no more than three 2-story houses and that they be located on Lots 1, 2, and 8, which are not adjacent to any existing homes.

All owners in the Mountain Trail Subdivision were formally given an opportunity to object or propose modifications to the position as stated above. No objections or proposed modifications were made.

We are aware that the zone changes required before the Environmental Planning Commission relates only to land use and density and does not involve factors related to design of the houses other than the height limit of 26 feet, which is not at issue.

The reference in our position to 2-story houses is intended to strongly emphasize our support for the two owners in the Mountain Trail Subdivision whose homes will be most directly impacted by the proposed development. We have received the letter from Scott Patrick Homes indicating among other things, that lots #4 and #5 will be used for single story homes only. Although, these are not lots that are adjacent to the two homes in Mountain Trail, we appreciate this concession by the developer.

The subject parcel is the last remaining land in the immediate area of Wyoming and Glendale. In its current condition it is an eyesore that detracts from the surrounding neighborhood. MTHOA believes strongly that development of the parcel is far preferable to having it remain in its current undeveloped condition.

MTHOA previously supported a requested zone change that was subsequently approved by the EPC and allowed the Glendale Estates property to be developed. To date, eight houses have been completed on a plot that is nearly the same size as the subject property for which a zone change has been requested. The eight homes are a very attractive development and an asset to the neighborhood, and the density has not in any way detracted from the neighborhood.

Sincerely yours,

Rod Farley, President  
Mountain Trail Homeowners Association

City of Albuquerque  
Planning Department

June 1, 2016

Maggie Gould, Planner

Re: Project 1010809=16EPC-40019

Ms. Gould,

I am writing to record my opposition to the proposed zone change. The doubling from 4DU's to 8DU's is excessive and would not conform to the neighborhoods that are east of Wyoming NE.

Glendale Estates was of a little higher density but there were several tradeoffs and concessions that made this density acceptable.

There was a large landscape buffer with very mature trees and beautiful stone accents, lighting and gates that made this a quality development. There has been no attempt to make this proposed development the same quality as the existing Glendale Estates. There is also no controls in place for the type of housing that is to go in (which lends itself to more of a tract home site (cookie cutter) which absolutely does not conform to the existing area which is made up entirely of custom homes.

Sincerely,

Randy Schmille, MM  
Glendale Estates LLC  
Ashton Homes LLC

7800 Glendale NE  
Albuquerque, NM 87122  
505.315.0312